

WEDNESDAY, APRIL 15, 1992

EIGHTY-FOURTH LEGISLATIVE DAY

The House met at 2:00 p.m. and was called to order by Mr. Speaker Naifeh.

The proceedings were opened with prayer by Dr. Fred Steelman, Red Bank Baptist Church, Red Bank, Tennessee.

Representative McAfee led the House in the Pledge of Allegiance to the Flag.

EXCUSED

The Speaker announced that the following member(s) has/have been excused, pursuant to request(s) under **Rule No. 20**:

Representative Garrett; due to illness.

ROLL CALL

The roll call was taken with the following results:

Present 93

Representatives present were: Allen, Anderson, Armstrong, Arriola, Bell, Bittle, Bivens, Bragg, Buck, Byrd, Callicott, Chiles, Chumney, Coffey, Cole, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, Dixon, Duer, Ferguson, Fowlkes, Givens, Gunnels, Haley, Halteman, Hargrove, Harrill, Hassell, Haun, Head, Hill, Hillis, Holcomb, Holt, Hubbard, Huskey, Jackson, Jones, R (Shelby), Jones, U (Shelby), Joyce Kent, King, Kisber, Knight, Liles, Love, McAfee, McDaniel, McKee, Meyer, Moore, Napier, Niceley, Nuber, Odom, Peroulas Draper, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Rigsby, Rinks, Robinson (Hamilton), Robinson (Washington), Severance, Shirley, Sipes, Stamps, Tindell, Tullos, Turner (Hamilton), Turner (Shelby), Venable, Walley, West, Whitson, Williams (Shelby), Williams (Union), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 93.

REPORT OF COMMITTEE ON CALENDAR AND RULES
April 14, 1992

MR. SPEAKER: Your Calendar and Rules Committee reports that we have met and set the following bills on the **Regular Calendar** for **Thursday, April 16, 1992**: House Bill(s) No(s). 1762, 2048, 123, 2405, 2121, 2582, 1954, 2426, 2664, 2196, 1770, 1776, 1801, 1813, 1824, 2065, 1055, 2496, 2536 and 1830.

WEDNESDAY, APRIL 15, 1992 -- EIGHTY-FOURTH LEGISLATIVE DAY

We have also set the following bills on the **Regular Calendar** for **Monday, April 20, 1992**: House Bill(s) No(s). 2047, 2517, 2462, 2213 and 1920; also, House Resolution(s) No(s). 159.

We further report that we have met and set the following bill(s) and/or resolution(s) on the **Consent Calendar** for **Wednesday, April 15, 1992**: House Bill(s) No(s). 1727, 2814, 2147, 2150, 2321, 1774, 1784, 1788, 1796 and 1836; House Resolution(s) No(s). 160 and 161; also, House Joint Resolution(s) No(s). 601, 602, 604, 605, 606, 607, 608, 609 and 590.

PHILLIPS, Chair.

REPORTS FROM STANDING COMMITTEES

AGRICULTURE
April 14, 1992

MR. SPEAKER: Your Agriculture Committee reports that we have carefully considered and recommend for adoption: House Joint Resolution(s) No(s). 596 and 597.

RAY DAVIS, Chair.

Under the rules, House Joint Resolution(s) No(s). 596 and 597 was/were transmitted to the Calendar and Rules Committee.

COMMERCE
April 14, 1992

MR. SPEAKER: Your Commerce Committee reports that we have carefully considered and recommend for passage: House Bill(s) No(s). 2014 and 2390; also, House Bill(s) No(s). 979, 2392, 1378, 2314 and 2718 if amended.

We further report that the following was/were considered but failed to pass: House Bill(s) No(s). 2768, 2649 and 500.

RHINEHART, Chair.

Under the rules, House Bill(s) No(s). 2014 and 2390; also, House Bill(s) No(s). 979, 2392, 1378, 2314 and 2718 with amendment(s) was/were transmitted to the Calendar and Rules Committee.

CONSUMER AND EMPLOYEE AFFAIRS
April 14, 1992

MR. SPEAKER: Your Consumer and Employee Affairs Committee reports that we have carefully considered and recommend for passage: House Bill(s) No(s). 1853 if amended; for adoption: House Joint Resolution(s) No(s). 616.

WEDNESDAY, APRIL 15, 1992 -- EIGHTY-FOURTH LEGISLATIVE DAY

We further recommend that, pursuant to **Rule No. 72**, the following be referred to Finance, Ways and Means: House Resolution No. 172; also, House Bill(s) No(s). 2519 if amended.

CLARK, Chair.

Under the rules, House Bill(s) No(s). 1853 with amendment(s); also, House Joint Resolution(s) No(s). 616 was/were transmitted to the Calendar and Rules Committee.

Pursuant to **Rule No. 72**, the Speaker referred House Resolution(s) No(s). 172; also, House Bill(s) No(s). 2519 with amendment(s) to the Finance, Ways and Means Committee.

FINANCE, WAYS AND MEANS

April 14, 1992

MR. SPEAKER: Your Finance, Ways and Means Committee reports that we have carefully considered and recommend for passage: House Bill(s) No(s). 1725, 2066, 2058, 2193, 2403, 2521, 2591, 2601 and 2684; also, House Bill(s) No(s). 1410, 1651, 2289, 2357, 2421, 2433, 2501, 2529, 2583, 2641 and 2816 if amended.

BRAGG, Chair.

Under the rules, House Bill(s) No(s). 1725, 2066, 2058, 2193, 2403, 2521, 2591, 2601 and 2684; also, House Bill(s) No(s). 1410, 1651, 2289, 2357, 2421, 2433, 2501, 2529, 2583, 2641 and 2816 with amendment(s) was/were transmitted to the Calendar and Rules Committee.

GOVERNMENT OPERATIONS

April 14, 1992

MR. SPEAKER: Your Government Operations Committee reports that we have carefully considered and recommend for passage: House Bill(s) No(s). 1771, 1783, 1797, 1822 and 1839; also, House Bill(s) No(s). 1772, 1785, 1786 and 1821 if amended.

KING, Chair.

Under the rules, House Bill(s) No(s). 1771, 1783, 1797, 1822 and 1839; also, House Bill(s) No(s). 1772, 1785, 1786 and 1821 with amendment(s) was/were transmitted to the Calendar and Rules Committee.

STATE AND LOCAL GOVERNMENT

April 14, 1992

MR. SPEAKER: Your State and Local Government Committee reports that we have carefully considered and recommend for passage: House Bill(s) No(s). 1765, 2615, 2804 and 2787; House Bill(s)

WEDNESDAY, APRIL 15, 1992 -- EIGHTY-FOURTH LEGISLATIVE DAY

No(s). 2542, 1112, 2503, 2192, 1453, 2584, 1387 and 2803 if amended; for adoption: House Resolution(s) No(s). 179 and 180; also, House Joint Resolution(s) No(s). 589, 538, 615 and 588.

We further recommend that, pursuant to **Rule No. 72**, the following be referred to Finance, Ways and Means: House Bill(s) No(s). 2719 and 2721 if amended.

We further report that the following was/were considered but failed to pass: House Bill No. 1965.

LOVE, Chair.

Under the rules, House Bill(s) No(s). 1765, 2615, 2804 and 2787; House Bill(s) No(s). 2542, 1112, 2503, 2192, 1453, 2584, 1387 and 2803 with amendment(s); House Resolution(s) No(s). 179 and 180; also, House Joint Resolution(s) No(s). 589, 538, 615 and 588 was/were transmitted to the Calendar and Rules Committee.

Pursuant to **Rule No. 72**, the Speaker referred House Bill(s) No(s). 2719 and 2721 with amendment(s) to the Finance, Ways and Means Committee.

**TRANSPORTATION
April 14, 1992**

MR. SPEAKER: Your Transportation Committee reports that we have carefully considered and recommend for passage: House Bill(s) No(s). 2506 and 2785; House Bill(s) No(s). 2244 and 2690 if amended; for adoption: House Joint Resolution(s) No(s). 567 and 610; for concurrence: Senate Joint Resolution(s) No(s). 78 if amended.

We further recommend that, pursuant to **Rule No. 72**, the following be referred to Finance, Ways and Means: House Bill(s) No(s). 2759 if amended.

ROBB ROBINSON, Chair.

Under the rules, House Bill(s) No(s). 2506 and 2785; House Bill(s) No(s). 2244 and 2690 with amendment(s); House Joint Resolution(s) No(s). 567 and 610; also, Senate Joint Resolution(s) No(s). 78 with amendment(s) was/were transmitted to the Calendar and Rules Committee.

Pursuant to **Rule No. 72**, the Speaker referred House Bill(s) No(s). 2759 with amendment(s) to the Finance, Ways and Means Committee.

**MESSAGE FROM THE SENATE
April 14, 1992**

MR. SPEAKER: I am directed to transmit to the House, Senate

WEDNESDAY, APRIL 15, 1992 -- EIGHTY-FOURTH LEGISLATIVE DAY

Bill(s) No(s). 1653, 1670, 1856, 1857, 1859, 1870, 1871, 1872, 1890, 1891, 1899, 1900, 2289, 2293, 2357, 2557, 2577, 2603, 2667, 2704, 2707, 2730, 2757 and 2802; passed by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

***Senate Bill No. 1653 -- Equalization Board --** Authorizes state board of equalization to impose \$10 filing fee on appeals to it and additional \$20 fee for appeals made from initial decisions of administrative judges to full board. Amends TCA 67-5-1514. by *Dunavant, Cooper, Elsea, Hamilton, McKnight.

Senate Bill No. 1670 -- Teachers -- Insures continuation of employment and compensation for career ladder educators with 11 and 12 month extended contracts. Amends TCA, Title 49, Ch. 5, Pt. 50. by *O'Brien.

***Senate Bill No. 1856 -- Sunset Laws -- Board of pharmacy,** June 30, 1999. Amends TCA, Title 4, Chs. 3, 29; Title 39, Ch. 17; Title 53, Chs. 10, 11, 14; Title 56, Ch. 1; Title 63, Chs. 8, 10; Title 68, Ch. 52. by *Hicks, McKnight.

***Senate Bill No. 1857 -- Sunset Laws -- Board of osteopathic examination,** June 30, 1999. Amends TCA, Title 4, Ch. 29; Title 63, Ch. 9; Title 68, Ch. 1. by *Hicks.

***Senate Bill No. 1859 -- Sunset Laws -- Board of nursing,** June 30, 1999. Amends TCA, Title 4, Ch. 29; Title 49, Ch. 4; Title 63, Chs. 1, 7, 8, 22; Title 68, Ch. 1. by *Hicks, McKnight.

***Senate Bill No. 1870 -- Sunset Laws -- Real estate commission,** June 30, 1999. Amends TCA, Title 4, Chs. 3, 21, 29; Title 19, Ch. 1; Title 62, Chs. 13, 25; Title 66, Ch. 32. by *Hicks.

Senate Bill No. 1871 -- Sunset Laws -- Board of funeral directors and embalmers, June 30, 1999. Amends TCA, Title 4, Chs. 3, 29; Title 62, Ch. 5. by *Hicks, McKnight.

***Senate Bill No. 1872 -- Sunset Laws -- Board of barber examiners,** June 30, 1999. Amends TCA, Title 4, Chs. 3, 29; Title 62, Ch. 3. by *Hicks.

***Senate Bill No. 1890 -- Sunset Laws -- Board of land survey examiners,** June 30, 1999. Amends TCA, Title 4, Ch. 29; Title 62, Ch. 18. by *Hicks.

***Senate Bill No. 1891 -- Sunset Laws -- Board of cosmetology,** June 30, 1999. Amends TCA, Title 4, Chs. 3, 29; Title 62, Ch. 4. by *Hicks.

***Senate Bill No. 1899 -- Sunset Laws -- Board of veterinary medical examiners,** June 30, 1999. Amends TCA, Title 4, Ch. 29; Title 44, Ch. 2; Title 63, Ch. 12; Title 68, Chs. 1, 8. by *Hicks.

WEDNESDAY, APRIL 15, 1992 -- EIGHTY-FOURTH LEGISLATIVE DAY

***Senate Bill No. 1900** -- Sunset Laws -- Board of registration in podiatry, June 30, 1999. Amends TCA, Title 4, Ch. 29; Title 63, Ch. 3; Title 68, Ch. 1. by *Hicks.

***Senate Bill No. 2289** -- Purchasing -- Requires commissioner of general services to award contracts within 30 days of receipt of all bids instead of with reasonable promptness. Amends TCA 12-3-203. by *McKnight.

Senate Bill No. 2293 -- Pensions and Retirement Benefits -- Makes city attorney eligible for membership in TCRS. Amends TCA 8-35-234. by *Rochelle.

***Senate Bill No. 2357** -- Housing -- Deletes requirement that pull down steps be located in homes where HVAC is in attic. by *Gilbert.

***Senate Bill No. 2557** -- Taxes, Amusement -- Clarifies that amusement tax does not apply to live entertainment conducted in an establishment operated primarily for the sale of prepared food. Amends TCA 67-6-212, 215, 67-6-330. by *Cohen.

***Senate Bill No. 2577** -- Home Improvement Contractors -- Authorizes home improvement commission to pay claims as provided from guaranty fund and to disallow new claims filed; terminates fund upon exhaustion. Same as *SB 2163/HB 2099. Amends TCA, Title 62, Ch. 37, Pt. 1. by *Haynes.

***Senate Bill No. 2603** -- Election Laws -- Allows counties which have more than 5 percent of territory within Great Smoky Mountain National Park to divide census blocks when establishing or altering boundaries of voting precincts. Amends TCA 2-3-102. by *Koella.

***Senate Bill No. 2667** -- Purchasing -- Requests commissioner of general services to establish regulations to strive to avoid purchases involving materials derived from endangered rainforests. Amends TCA, Title 12, Ch. 3. by *Cohen, McKnight.

Senate Bill No. 2704 -- Forest and Forest Products -- Defines "current market value" as standing timber before it is cut where civil liability attaches for negligent cutting of timber from property of another. Amends TCA, Title 43, Ch. 28, Pt. 3. by *Cooper.

***Senate Bill No. 2707** -- Transportation, Dept. of -- Establishes Transportation Equity Trust Fund as trust fund. Amends TCA, Title 67. by *Hamilton, *Darnell, Davis E, McKnight, Springer.

***Senate Bill No. 2730** -- Motor Vehicles -- Enacts "Motor Vehicle Safety Inspection Act of 1992"; requires public service commission to inspect all municipal/county fire department emergency response vehicles, firefighting apparatuses to determine compliance with safety laws. Amends TCA 65-15-113. by *McNally, *Davis E, *Darnell, *McKnight, Hicks, Atchley, Patten, Springer, Greer,

WEDNESDAY, APRIL 15, 1992 -- EIGHTY-FOURTH LEGISLATIVE DAY

Haynes, Harper, Crowe, O'Brien, Hamilton, Crutchfield, Ford, Person, Cooper, Cohen, Kyle, Lawson, Rochelle, Jordan.

***Senate Bill No. 2757 -- Teachers --** Authorizes sick leave banks for teachers be initiated by ten teachers in counties of less than 50,000. Amends TCA, Title 49. by *Crowe, Springer.

***Senate Bill No. 2802 -- Correctional Programs --** Increases maximum age of offender in special alternative incarceration program from 30 to 35. Amends TCA 40-20-203. by *Darnell, Kyle.

REPORT OF CHIEF ENGROSSING CLERK

April 14, 1992

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have transmitted to the Governor the following: House Bill(s) No(s). 602 and 2030; also, House Joint Resolution(s) No(s). 569, 598, 611, 612, 613, 614, 617, 618, 619, 621, 623, 625, 634, 635 and 641; for his action.

BETTY KAY FRANCIS,
Chief Engrossing Clerk.

MESSAGE FROM THE GOVERNOR

April 13, 1992

MR. SPEAKER: I am directed by the Governor to return herewith: House Bill No. 2190, with his approval.

DAVID H. WELLES,
Counsel to the Governor.

SIGNED

April 14, 1992

The Speaker announced that he had signed the following: Senate Bill(s) No(s). 1143, 1824, 1934, 2090, 2397, 2398 and 2626; also, Senate Joint Resolution(s) No(s). 426.

MESSAGE FROM THE GOVERNOR

April 14, 1992

MR. SPEAKER: I am directed by the Governor to return herewith: House Bill(s) No(s). 891, 1662, 1743, 1798, 1841, 1919, 1939, 2057, 2118, 2141, 2211, 2246, 2344, 2431, 2502, 2534, 2594, 2692, 2693, 2694, 2697, 2699, 2702, 2705, 2711, 2734, 2809, 2811, 2813, 2815, 2817, 2824 and 2826; also, House Joint Resolution(s) No(s). 513, 581, 585, 586, 591, 594, 595, 600, 620, 624 and 626; with his approval.

DAVID H. WELLES,
Counsel to the Governor.

WEDNESDAY, APRIL 15, 1992 -- EIGHTY-FOURTH LEGISLATIVE DAY

**MESSAGE FROM THE GOVERNOR
April 13, 1992**

MR. SPEAKER: I am directed by the Governor to return herewith:
House Bill No. 2793, without his signature.

DAVID H. WELLES,
Counsel to the Governor.

April 13, 1992

The Honorable Jimmy Naifeh
Speaker of the House
Suite 19, Legislative Plaza
Nashville, TN 37243

Dear Speaker Naifeh:

SUBJECT: HOUSE BILL 2793

I hereby return House Bill 2793 without my signature.

House Bill 2793 is a private act pertaining to county zoning in
Giles County. The bill apparently purports to amend general law,
although the caption of the bill is restricted to Giles County.

It is for this reason that I return the bill without my
signature.

Sincerely,
/s/Ned McWherter

**MESSAGE FROM THE SENATE
April 14, 1992**

MR. SPEAKER: I am directed to transmit to the House, Senate
Bill(s) No(s). 1725, 1737, 1752, 1858, 1887, 1898, 1905, 1906, 1911,
1963, 1968, 2236, 2340, 2341, 2382, 2420, 2558, 2559, 2589, 2619,
2636, 2669 and 2754; also, Senate Joint Resolution(s) No(s). 324,
334, 415, 419, 420, 429, 439 and 456; for the signature of the
Speaker.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

**ENROLLED BILLS
April 14, 1992**

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report
that we have carefully compared House Bill(s) No(s). 1677, 1719,
1812, 1897, 1976, 2107, 2183, 2295, 2443, 2604, 2606, 2755 and 2839;
House Resolution(s) No(s). 181 and 182; also, House Joint

WEDNESDAY, APRIL 15, 1992 — EIGHTY-FOURTH LEGISLATIVE DAY

Resolution(s) No(s). 656; and find same correctly enrolled and ready for the signature(s) of the Speaker(s).

BETTY KAY FRANCIS,
Chief Engrossing Clerk.

REPORT OF COMMITTEE ON CALENDAR AND RULES
April 15, 1992

MR. SPEAKER: Your Calendar and Rules Committee reports that we have met and set the following bills on the Regular Calendar for Monday, April 20, 1992: House Bill(s) No(s). 2115, 2035, 2029, 2117, 2325 and 126; also, House Joint Resolution No. 520.

We have also set the following bills on the Regular Calendar for Wednesday, April 22, 1992: House Bill(s) No(s). 1800.

We further report that we have met and set the following bill(s) and/or resolution(s) on the Consent Calendar for Thursday, April 16, 1992: House Bill(s) No(s). 2170, 2024, 1838 and 2330; Senate Joint Resolution(s) No(s). 364, 368, 367 and 400; also, House Joint Resolution(s). 633.

PHILLIPS, Chair.

HEALTH AND HUMAN RESOURCES
April 15, 1992

MR. SPEAKER: Your Health and Human Resources Committee reports that we have carefully considered and recommend for passage: House Bill(s) No(s). 1753, 1766, 2599, 2249, 2650, 2484, 278, 1447, 1449, 2725, 2206, 2490 and 990 if amended; for adoption: House Joint Resolution(s) No(s). 575; also House Joint Resolution(s) No(s). 453 if amended.

We further recommend that, pursuant to Rule No. 72, the following be referred to Finance, Ways and Means: House Bill(s) No(s). 2579; also, House Bill(s) No(s). 1860, 2592 and 2004 if amended.

DIXON, Chair.

Under the rules, House Bill(s) No(s). 1753, 1766, 2599, 2249, 2650, 2484, 278, 1447, 1449, 2725, 2206, 2490 and 990 with amendment(s); also House Joint Resolution's No(s). 575 and 453 with amendments was/were transmitted to the Calendar and Rules Committee.

Pursuant to Rule No. 72, the Speaker referred House Bill(s) No(s). 2650, 2484, 278, 1447, 1449, 2725, 2206, 2490 to the Finance, Ways and Means Committee.

WEDNESDAY, APRIL 15, 1992 -- EIGHTY-FOURTH LEGISLATIVE DAY

JUDICIARY
April 15, 1992

MR. SPEAKER: Your Judiciary Committee reports that we have carefully considered and recommend for passage: House Bill(s) No(s). 2290 and 2789; also, House Bill(s) No(s). 72, 118, 1862 and 2628 if amended.

We further recommend that, pursuant to **Rule No. 72**, the following be referred to Finance, Ways and Means: House Bill(s) No(s). 1657, 1993, 2124, 2215 and 2776 if amended.

We further report that the following was/were considered but failed to pass: House Bill No. 1973.

BUCK, Chair.

Under the rules, House Bill(s) No(s). 2290 and 2789; also, House Bill(s) No(s). 72, 118, 1862 and 2628 with amendment(s) was/were transmitted to the Calendar and Rules Committee.

Pursuant to **Rule No. 72**, the Speaker referred House Bill(s) No(s), 1657, 1993, 2124, 2215 and 2776 with amendment(s) to the Finance, Ways and Means Committee.

RULES SUSPENDED

Rep. Davis (Gibson) moved that the rules be suspended to recall **House Resolution No. 185** from the Consent Calendar for immediate consideration, which motion prevailed.

House Resolution No. 0185 -- Memorials, Sports -- Milan High School football team. by *Davis Ray.

On motion of Rep. Davis (Gibson), the resolution was adopted.

The motion to reconsider was tabled.

CONSENT CALENDAR

House Resolution No. 0184 -- Memorials, Sports -- Nate Anderson, football official.

House Joint Resolution No. 0655 -- Memorials, Sports -- Alcoa High School boys' basketball team.

House Joint Resolution No. 0660 -- Memorials, Illness -- Eric Phillips.

House Joint Resolution No. 0661 -- Memorials, Sports -- Rockwood Junior High School girls' basketball team, TNT Tournament champions.

House Joint Resolution No. 0662 -- Memorials, Professional and

WEDNESDAY, APRIL 15, 1992 -- EIGHTY-FOURTH LEGISLATIVE DAY

Business Achievement -- Olin Corporation, 100th anniversary.

House Bill No. 2840 -- South Pittsburg -- Revises charter. Repeals Chapter 63, Private Acts of 1917, as amended.

House Bill No. 2841 -- Smyrna -- Revises charter. Amends Chapter 284, Private Acts of 1915, as amended.

Senate Joint Resolution No. 0428 -- Memorials, Retirement -- Pastor Haddon Eugene Cotey.

Senate Joint Resolution No. 0434 -- Memorials, Sports -- Camden High School girls' basketball team.

Senate Joint Resolution No. 0435 -- Memorials, Death -- Dr. Alex Chambers.

Senate Joint Resolution No. 0437 -- Memorials, Public Service -- Veronica F. Coleman, Juvenile Court Referee.

House Bill No. 1727 -- DUI/DWI Offenses -- Deletes provision which permits defendant to challenge constitutional validity of prior guilty plea DUI conviction at any proceeding where such conviction is used to enhance punishment. Amends TCA 55-10-403.

On motion, House Bill No. 1727 was made to conform with Senate Bill No. 1714.

On motion, Senate Bill No. 1714, on same subject, was substituted for House Bill No. 1727.

***House Bill No. 2814** -- Health -- Authorizes Governor's Council on Physical Fitness and Health to create nonprofit corporation to operate Olympic event on Ocoee River. Amends TCA, Title 4, Ch. 40.

House Bill No. 2147 -- Public Defenders -- Permits county to provide supplemental funding for district public defender office. Amends TCA, Title 8.

House Bill No. 2150 -- Public Defenders -- Provides that if indigent can make partial payments to defray cost of legal representation, such payments to be paid to county trustee for use in providing additional representation of indigent criminal defendants in such county. Amends TCA, Titles 8, 40.

House Bill No. 2321 -- County Government -- Increases the minimum size of special committees appointed by a county legislative body acting pursuant to the County Financial Management System of 1981. Amends TCA 5-21-105.

On motion, House Bill No. 2321 was made to conform with Senate Bill No. 2488.

On motion, Senate Bill No. 2488, on same subject, was substituted for House Bill No. 2321.

WEDNESDAY, APRIL 15, 1992 -- EIGHTY-FOURTH LEGISLATIVE DAY

House Bill No. 1774 -- Sunset Laws -- Board of registration in podiatry, June 30, 1999. Amends TCA, Title 4, Ch. 29; Title 63, Ch. 3; Title 68, Ch. 1.

On motion, House Bill No. 1774 was made to conform with Senate Bill No. 1900.

On motion, **Senate Bill No. 1900**, on same subject, was substituted for House Bill No. 1774.

House Bill No. 1784 -- Sunset Laws -- Board of dentistry, June 30, 1999. Amends TCA, Title 4, Ch. 29; Title 27, Ch. 9; Title 63, Ch. 5; Title 68, Chs. 1, 11, 23.

On motion, House Bill No. 1784 was made to conform with Senate Bill No. 1908.

On motion, **Senate Bill No. 1908**, on same subject, was substituted for House Bill No. 1784.

House Bill No. 1788 -- Sunset Laws -- Board of veterinary medical examiners, June 30, 1999. Amends TCA, Title 4, Ch. 29; Title 44, Ch. 2; Title 63, Ch. 12; Title 68, Chs. 1, 8.

On motion, House Bill No. 1788 was made to conform with Senate Bill No. 1899.

On motion, **Senate Bill No. 1899**, on same subject, was substituted for House Bill No. 1788.

House Bill No. 1796 -- Sunset Laws -- Board of land survey examiners, June 30, 1999. Amends TCA, Title 4, Ch. 29; Title 62, Ch. 18.

On motion, House Bill No. 1796 was made to conform with Senate Bill No. 1890.

On motion, **Senate Bill No. 1890**, on same subject, was substituted for House Bill No. 1796.

House Bill No. 1836 -- Sunset Laws -- Board of nursing, June 30, 1999. Amends TCA, Title 4, Ch. 29; Title 49, Ch. 4; Title 63, Chs. 1, 7, 8, 22; Title 68, Ch. 1.

On motion, House Bill No. 1836 was made to conform with Senate Bill No. 1859.

On motion, **Senate Bill No. 1859**, on same subject, was substituted for House Bill No. 1836.

***House Resolution No. 160** -- General Assembly, Review Or Ratification of Rules -- Approves amendments to Rules of Appellate Procedure

***House Resolution No. 0161** -- General Assembly, Review Or

WEDNESDAY, APRIL 15, 1992 -- EIGHTY-FOURTH LEGISLATIVE DAY

Ratification of Rules -- Approves amendments to Rules of Evidence.

***House Joint Resolution No. 0601 -- General Assembly, Confirmation of Appointment -- Nancy Kotz, State Certification Commission.**

***House Joint Resolution No. 0602 -- General Assembly, Confirmation of Appointment -- Sarah Cooper, State Certification Commission.**

***House Joint Resolution No. 0604 -- General Assembly, Confirmation of Appointment -- Katie Harris, State Certification Commission.**

***House Joint Resolution No. 0605 -- General Assembly, Confirmation of Appointment -- Yvonne Griggs Allen, State Certification Commission.**

***House Joint Resolution No. 0606 -- General Assembly, Confirmation of Appointment -- Lucille Carter Seibert, State Certification Commission.**

***House Joint Resolution No. 0607 -- General Assembly, Confirmation of Appointment -- Jan Huffman, State Certification Commission.**

***House Joint Resolution No. 0608 -- General Assembly, Confirmation of Appointment -- Minnie Bommer, State Board of Education.**

***House Joint Resolution No. 0609 -- General Assembly, Confirmation of Appointment -- Buddy McMillin, State Certification Commission.**

***House Joint Resolution No. 0590 -- Naming and Designating -- "Emergency Volunteer Workers Day," April 22, 1992.**

Pursuant to Rule No. 50, Rep. Phillips moved that all House Bills having companion Senate Bills on the Clerk's desk be conformed and substituted for the appropriate House Bill, that all Senate and House Bills on the Consent Calendar be passed on third and final consideration, all House Resolutions and House Joint Resolutions be adopted, and all Senate Joint Resolutions on the Consent Calendar be concurred in, which motion prevailed by the following vote:

Ayes.	98
Noes.	0

Representatives voting aye were: Allen, Anderson, Armstrong, Arriola, Bell, Bittle, Bivens, Bragg, Buck, Byrd, Callicott, Chiles, Chumney, Clark, Coffey, Cole, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, Dixon, Duer, Ferguson, Fowlkes, Givens, Gunnels, Haley, Halteman, Hargrove, Harrill, Hassell, Haun, Head, Herron, Hill, Hillis, Holcomb, Holt, Hubbard, Huskey, Jackson, Johnson, Jones, R

WEDNESDAY, APRIL 15, 1992 -- EIGHTY-FOURTH LEGISLATIVE DAY

(Shelby), Jones, U (Shelby), Joyce Kent, Kernell, King, Kisber, Knight, Liles, Love, McAfee, McDaniel, McKee, Meyer, Moore, Napier, Niceley, Nuber, Odom, Peroulas Draper, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Rigsby, Rinks, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Severance, Shirley, Sipes, Stamps, Tindell, Tullos, Turner (Hamilton), Turner (Shelby), Venable, Walley, West, Whitson, Williams (Shelby), Williams (Union), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 98.

A motion to reconsider was tabled.

REGULAR CALENDAR

House Bill No. 1764 -- Drugs -- Provides that claimant who prevails at hearing for return of property seized under drug laws not responsible for payment of expenses incurred in storage and transportation of such property. Amends TCA, Title 53, Ch. 11.

Further consideration of House Bill No. 1764, previously considered on March 19, 25, and April 8, 1992, at which time it was reset to the Calendar for April 15, 1992.

Rep. Buck moved that House Bill No. 1764 be passed on third and final consideration.

Rep. Armstrong moved that **Amendment No. 1** be withdrawn, which motion prevailed.

Rep. Armstrong moved that **Amendment No. 2** be withdrawn, which motion prevailed.

Rep. Buck moved that **House Bill No. 1764** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes.	98
Noes.	0

Representatives voting aye were: Allen, Anderson, Armstrong, Arriola, Bell, Bittle, Bivens, Bragg, Buck, Byrd, Callicott, Chiles, Chumney, Clark, Coffey, Cole, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, Dixon, Duer, Ferguson, Fowlkes, Givens, Monnels, Haley, Halteman, Hargrove, Harrill, Hassell, Haun, Head, Herron, Hill, Hillis, Holcomb, Holt, Hubbard, Huskey, Jackson, Johnson, Jones, R (Shelby), Jones, U (Shelby), Joyce Kent, Kernell, King, Kisber, Knight, Liles, Love, McAfee, McDaniel, McKee, Meyer, Moore, Napier, Niceley, Nuber, Odom, Peroulas Draper, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Rigsby, Rinks, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Severance, Shirley, Sipes, Stamps, Tindell, Tullos, Turner (Hamilton), Turner (Shelby), Venable, Walley, West, Whitson, Williams (Shelby), Williams (Union), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 98.

A motion to reconsider was tabled.

WEDNESDAY, APRIL 15, 1992 — EIGHTY-FOURTH LEGISLATIVE DAY

House Bill No. 1992 -- Correction, Dept. of -- Prohibits management level employee from working as private prison contractor working for state for three years after termination of state service. Amends TCA, Title 41, Ch. 24.

Further consideration of House Bill No. 1992, previously considered on March 1 and 25, and April 1 and 8, 1992, at which time it was reset to the Calendar for April 15, 1992.

On motion of Rep. Rhinehart, House Bill No. 1992 was withdrawn from the House.

House Bill No. 2764 -- Private Investigators -- Raises from \$70.00 to \$100 the application fee for private investigators. Amends TCA, Title 62, Ch. 26.

Further consideration of House Bill No. 2764, previously considered on April 8, 1992, at which time it was reset to the Calendar for April 15, 1992.

Rep. Haun moved that House Bill No. 2764 be reset one week to the Calendar for Wednesday, April 22, 1992, which motion prevailed.

***Senate Bill No. 1998** -- Alcoholic Beverages -- Authorizes operation of microbrewery in Hamilton County. Amends TCA 57-5-101.

Further consideration of Senate Bill No. 1998, previously considered on April 5 and 6, 1992, at which time it was substituted for House Bill No. 2262 and reset to the Calendar for April 15, 1992.

Rep. Robinson (Hamilton) moved that Senate Bill No. 1998 be passed on third and final consideration.

Rep. Purcell moved to amend as follows:

Amendment No. 1

Amend Senate Bill No. 1998 by adding the following section as a new Section 1, renumbering Sections 1 and 2 of the introduced bill as Sections 2 and 3, accordingly:

Section 1. Tennessee Code Annotated, Section 57-5-101(c), is amended by deleting the punctuation and words ", or alternatively", and by substituting instead the word "and".

On motion, Amendment No. 1 was adopted.

CHAIR TO DEBERRY

Mr. Speaker Naifeh relinquished the Chair to Rep. DeBerry, Speaker Pro Tempore.

REGULAR CALENDAR, CONTINUED

Thereupon, Rep. Robinson (Hamilton) moved that **Senate Bill No. 1998**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes.	53
Noes.	28
Present and not voting.	5

Representatives voting aye were: Allen, Anderson, Armstrong, Arriola, Bell, Bivens, Bragg, Buck, Callicott, Chiles, Chumney, Clark, Collier, Crain, Cross, Curlee, Davis (Cocke), Davis (Knox), DeBerry, Dixon, Duer, Fowlkes, Haun, Hill, Hillis, Huskey, Jones, R (Shelby), Jones, U (Shelby), Kent, King, Liles, Love, McKee, Meyer, Napier, Odom, Pruitt, Purcell, Rhinehart, Rinks, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Severance, Tindell, Turner (Hamilton), Turner (Shelby), Venable, West, Whitson, Williams (Shelby), Winningham, Mr. Speaker Naifeh -- 53.

Representatives voting no were: Bittle, Byrd, Copeland, Davidson, Davis (Gibson), Ferguson, Gunnels, Haley, Halteman, Harrill, Hassell, Herron, Holcomb, Holt, Jackson, Johnson, Joyce McAfee, McDaniel, Peroulas Draper, Phillips, Pinion, Ridgeway, Sipes, Stamps, Walley, Williams (Union), Wood -- 28.

Representatives present and not voting were: Givens, Knight, Rigsby, Tullios, Windle -- 5.

A motion to reconsider was tabled.

House Bill No. 2735 -- Contractors -- Restricts contractors from performing work in a classification other than classification for which contractor is licensed. Amends TCA 62-6-111.

Further consideration of House Bill No. 2735, previously considered on March 23 and April 1, 1992, at which time it was reset to the Calendar for April 15, 1992.

Rep. Head moved that House Bill No. 2735 be reset to the last Calendar for this session, which motion prevailed.

House Bill No. 2452 -- Bradley County -- Gives hospital board authority to acquire or lease property related to business of hospital and to make health care services available; makes revenues from operation of hospital used for capital projects and health care services to indigents after expenses and bond payments.

Further consideration of House Bill No. 2452, previously considered on April 6 and 8, 1992, at which time it was reset to the Calendar for April 15, 1992.

Rep. Bivens moved that House Bill No. 2452 be passed on third and final consideration.

Rep. Bivens moved to amend as follows:

Amendment No. 1

Amend House Bill No. 2452 by adding to the language of the second sentence of Section 1, immediately following the words "shall be" and immediately preceding the words "held and owned," the words "acquired subject to the approval of the county legislative body and shall be," so that as amended the second sentence of Section 1 will provide as follows:

All property acquired by the board shall be acquired subject to the approval of the county legislative body and shall be held and owned in the same manner as the original property conveyed for the establishment of the Bradley County Memorial Hospital under Chapter 846 of the Private Acts of 1947, as subsequently amended.

On motion, Amendment No. 1 was adopted.

Thereupon, Rep. Bivens moved that House Bill No. 2452, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes.	89
Noes.	0
Present and not voting.	4

Representatives voting aye were: Allen, Anderson, Armstrong, Arriola, Bell, Bittle, Bivens, Bragg, Buck, Byrd, Callicott, Chiles, Chumney, Clark, Coffey, Cole, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, Dixon, Duer, Ferguson, Fowlkes, Gunnels, Haley, Halteman, Hargrove, Hassell, Head, Herron, Hill, Hillis, Holcomb, Holt, Hubbard, Huskey, Jackson, Johnson, Jones, R (Shelby), Kent, Kernell, Kisber, Knight, Liles, Love, McAfee, McDaniel, McKee, Meyer, Moore, Napier, Niceley, Odom, Peroulas Draper, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Rigsby, Rinks, Robinson (Hamilton), Robinson (Washington), Severance, Shirley, Sipes, Stamps, Tindell, Turner (Hamilton), Turner (Shelby), Venable, Walley, West, Whitson, Williams (Shelby), Williams (Union), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 89.

Representatives present and not voting were: Givens, Joyce Nuber, Tullos -- 4.

A motion to reconsider was tabled.

REQUEST TO CHANGE VOTE

MR. SPEAKER: Pursuant to Rule No. 31, I wish to express a desire to change my original stand from not voting to no on House

WEDNESDAY, APRIL 15, 1992 -- EIGHTY-FOURTH LEGISLATIVE DAY

Bill No. 2452 and have this statement entered in the Journal.

Rep. Bob Harrill

REGULAR CALENDAR, CONTINUED

House Bill No. 2668 -- Motor Vehicles, Titling and Registration -- Authorizes issuance of special license plates for Exchange Club members for \$25.00 fee. Amends TCA, Title 55, Ch. 4.

Further consideration of House Bill No. 2668, previously considered on April 6 and 8, 1992, at which time it was reset to the Calendar for April 15, 1992.

Rep. Haun moved that House Bill No. 2668 be reset one week to the Calendar for Wednesday, April 22, 1992, which motion prevailed.

House Bill No. 1150 -- Health and Environment, Dept. of -- Requires annual report on utilization review of health care providers. Amends TCA, Titles 56, 68.

Rep. Duer moved that House Bill No. 1150 be passed on third and final consideration.

Rep. Dixon moved adoption of Health and Human Resources Committee Amendment No. 1 as follows:

Amendment No. 1

Amend House Bill No. 1150 by adding at the end of the amendatory language of Section 1 the following:

All postage paid from the postage and mailing allowance for each member of the general assembly or any committee of the general assembly shall only be expended through the legislative postage meter. Envelopes used for such postage and mailing shall not be blank so that the appropriate account may be charged. Provided, however, upon request, a member of the general assembly may receive each year not more than ten percent (10%) of the value of the allowance in stamps.

CHAIR TO SPEAKER

Mr. Speaker Naifeh resumed the Chair.

REGULAR CALENDAR, CONTINUED

Rep. Duer moved to amend as follows:

Amendment No. 1 to Amendment No. 1

Amend House Bill No. 1150 by deleting the word "shall" in the third sentence of Section 7 and substituting instead the word "may".

On motion, Amendment No. 1 to Amendment No. 1 was adopted.

Rep. Dixon moved adoption of Amendment No. 1, as amended, which motion prevailed.

Thereupon, Rep. Duer moved that House Bill No. 1150, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes.	93
Noes.	0

Representatives voting aye were: Allen, Armstrong, Arriola, Bell, Bittle, Bivens, Bragg, Buck, Byrd, Callicott, Chiles, Chumney, Clark, Coffey, Cole, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, Dixon, Duer, Ferguson, Fowlkes, Givens, Gunnels, Haley, Halteman, Hargrove, Harrill, Hassell, Haun, Head, Herron, Hill, Hillis, Holcomb, Holt, Hubbard, Huskey, Jackson, Johnson, Jones, U (Shelby), Joyce Kent, Kernell, Kisber, Knight, Liles, Love, McAfee, McDaniel, McKee, Moore, Napier, Niceley, Nuber, Odom, Peroulas Draper, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Rigsby, Rinks, Robinson (Hamilton), Robinson (Washington), Severance, Shirley, Sipes, Stamps, Tindell, Tullos, Turner (Hamilton), Turner (Shelby), Venable, Walley, West, Whitson, Williams (Shelby), Williams (Union), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 93.

A motion to reconsider was tabled.

House Bill No. 2732 -- Economic and Community Development -- Makes various changes to convert the Local Neighborhood Model Development Corporation Act into a program of general applicability within the three major urban counties. Amends TCA, Title 13, Ch. 13, Pt. 1.

On motion, House Bill No. 2732 was made to conform with Senate Bill No. 2266.

On motion, Senate Bill No. 2266, on same subject, was substituted for House Bill No. 2732.

Rep. U. Jones moved that Senate Bill No. 2266 be passed on third and final consideration.

Rep. Armstrong moved to amend as follows:

Amendment No. 1

Amend Senate Bill No. 2266 by deleting from Section 4(c) the language "four hundred thousand (400,000)" and by substituting instead the language "three hundred thirty-five thousand (335,000)".

On motion, Amendment No. 1 was adopted.

Thereupon, Rep. U. Jones moved that Senate Bill No. 2266, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes.	95
Noes.	0

Representatives voting aye were: Allen, Anderson, Armstrong, Arriola, Bell, Bittle, Bivens, Bragg, Buck, Byrd, Callicott, Chiles, Chumney, Clark, Coffey, Cole, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), Dixon, Duer, Ferguson, Fowlkes, Givens, Gunnels, Haley, Halteman, Hargrove, Harrill, Hassell, Haun, Head, Herron, Hill, Hillis, Holcomb, Holt, Hubbard, Huskey, Jackson, Johnson, Jones, U (Shelby), Joyce Kent, Kernell, King, Kisber, Knight, Liles, Love, McAfee, McDaniel, McKee, Meyer, Moore, Napier, Niceley, Nuber, Odom, Peroulas, Draper, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Rigsby, Rinks, Robinson (Hamilton), Robinson (Washington), Severance, Shirley, Sipes, Stamps, Tindell, Tullos, Turner (Hamilton), Turner (Shelby), Venable, Walley, West, Whitson, Williams (Shelby), Williams (Union), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 95.

A motion to reconsider was tabled.

***House Bill No. 2497 -- Auditing --** Provides that association captive insurance company not be required to perform audit of annual statutory financial statements by independent certified public accountant unless within 90 days before close of fiscal year requested by majority of members.

On motion, House Bill No. 2497 was made to conform with Senate Bill No. 2505.

On motion, Senate Bill No. 2505, on same subject, was substituted for House Bill No. 2497.

Rep. Bivens moved that Senate Bill No. 2505 be passed on third and final consideration.

On motion, Rep. Rhinehart withdrew Commerce Committee Amendment No. 1.

Rep. Bivens moved that Senate Bill No. 2505 be passed on third

and final consideration, which motion prevailed by the following vote:

Ayes.	98
Noes.	0

Representatives voting aye were: Allen, Anderson, Armstrong, Arriola, Bell, Bittle, Bivens, Bragg, Buck, Byrd, Callicott, Chiles, Chumney, Clark, Coffey, Cole, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, Dixon, Duer, Ferguson, Fowlkes, Givens, Gunnels, Haley, Halteman, Hargrove, Harrill, Hassell, Haun, Head, Herron, Hill, Hillis, Holcomb, Holt, Hubbard, Huskey, Jackson, Johnson, Jones, R (Shelby), Jones, U (Shelby), Joyce Kent, Kernell, King, Kisber, Knight, Liles, Love, McAfee, McDaniel, McKee, Meyer, Moore, Napier, Niceley, Nuber, Odom, Peroulas Draper, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Rigsby, Rinks, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Severance, Shirley, Sipes, Stamps, Tindell, Tullos, Turner (Hamilton), Turner (Shelby), Venable, Walley, West, Whitson, Williams (Shelby), Williams (Union), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 98.

A motion to reconsider was tabled.

House Bill No. 2406 -- Judicial Districts -- Entitles district attorney general of third judicial district to one additional criminal investigator position. Amends TCA 16-2-506.

Rep. Givens moved that House Bill No. 2406 be passed on third and final consideration.

Rep. Buck moved adoption of Judiciary Committee Amendment No. 1 as follows:

Amendment No. 1

Amend House Bill No. 2406 by changing the semicolon (;) at the end of the amendatory language of SECTION 1 to a period (.) and by adding the following new language to such section:

Notwithstanding the provisions of Tennessee Code Annotated, Section 8-14-202 (d) to the contrary, the criminal investigator position created by the provisions of this act shall not be construed as creating an additional investigator position in the office of district public defender for the third judicial district;

On motion, Amendment No. 1 was adopted.

Rep. Buck moved adoption of Judiciary Committee Amendment No. 2 as follows:

Amendment No. 2

Amend House Bill No. 2406 by deleting the amendatory language of SECTION 1 and substituting instead the following:

On July 1, 1992, the district attorney general of the third judicial district shall be entitled to one (1) additional part-time criminal investigator position; provided, however, the total annual state expenditure to fund the salary, benefits and other expenses of such position shall not exceed twenty-four thousand five hundred dollars (\$24,500);

On motion, Amendment No. 2 was adopted.

Rep. Buck moved adoption of Judiciary Committee Amendment No. 3 as follows:

Amendment No. 3

Amend House Bill No. 2406 by adding the following as a new section immediately preceding the effective date section and by renumbering the effective date section accordingly:

Section _____. The provisions of this act shall not be construed to be an appropriation of funds and no funds shall be obligated or expended pursuant to this act unless such funds are specifically appropriated by the general appropriations act.

On motion, Amendment No. 3 was adopted.

Thereupon, Rep. Givens moved that House Bill No. 2406, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes.	97
Noes.	0

Representatives voting aye were: Allen, Anderson, Armstrong, Arriola, Bell, Bittle, Bivens, Bragg, Buck, Byrd, Callicott, Chiles, Chumney, Clark, Coffey, Cole, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, Dixon, Duer, Ferguson, Fowlkes, Givens, Gunnels, Haley, Haltzman, Hargrove, Harrill, Hassell, Haun, Head, Herron, Hill, Hillis, Holcomb, Holt, Hubbard, Huskey, Jackson, Johnson, Jones, R (Shelby), Jones, U (Shelby), Joyce Kent, Kernell, King, Kisber, Knight, Liles, Love, McAfee, McDaniel, McKee, Meyer, Moore, Napier, Niceley, Nuber, Odom, Peroulas Draper, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Rigsby, Rinks, Robinson (Hamilton), Robinson (Washington), Severance, Shirley, Sipes, Stamps, Tindell, Tullos, Turner (Hamilton), Turner (Shelby), Venable, Walley, West,

WEDNESDAY, APRIL 15, 1992 -- EIGHTY-FOURTH LEGISLATIVE DAY

Whitson, Williams (Shelby), Williams (Union), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 97.

A motion to reconsider was tabled.

House Bill No. 2687 -- Teachers -- Authorizes sick leave banks for teachers be initiated by ten teachers in counties of less than 50,000. Amends TCA, Title 49.

On motion, House Bill No. 2687 was made to conform with Senate Bill No. 2757.

On motion, **Senate Bill No. 2757**, on same subject, was substituted for House Bill No. 2687.

Rep. Givens moved that **Senate Bill No. 2757** be passed on third and final consideration.

Rep. Givens moved to amend as follows:

Amendment No. 1

Amend Senate Bill No. 2757 by deleting from the amendatory language of Section 1 the language "less than fifty thousand (50,000)" and by substituting instead the language "of not less than forty four thousand five hundred (44,500) nor more than forty five thousand (45,000) or not less than six thousand seven hundred (6,700) nor more than six thousand nine hundred fifty (6,950)".

On motion, Amendment No. 1 was adopted.

Thereupon, Rep. Givens moved that **Senate Bill No. 2757**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes.	94
Noes.	0
Present and not voting.	1

Representatives voting aye were: Allen, Anderson, Armstrong, Arriola, Bell, Bittle, Bivens, Bragg, Buck, Byrd, Callicott, Chiles, Chumney, Clark, Coffey, Cole, Collier, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), Dixon, Duer, Ferguson, Fowlkes, Givens, Gunnels, Haley, Halteman, Hargrove, Harrill, Hassell, Haun, Head, Herron, Hill, Hillis, Holcomb, Holt, Hubbard, Huskey, Jackson, Johnson, Jones, R (Shelby), Jones, U (Shelby), Joyce Kent, Kernell, King, Kisber, Knight, Liles, Love, McAfee, McDaniel, McKee, Meyer, Moore, Napier, Niceley, Odom, Peroulas Draper, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Rigsby, Rinks, Robinson (Hamilton), Robinson (Washington), Severance, Shirley, Sipes, Stamps, Tindell, Tullos, Turner (Hamilton), Turner (Shelby), Venable, Walley, West, Whitson,

WEDNESDAY, APRIL 15, 1992 -- EIGHTY-FOURTH LEGISLATIVE DAY

Williams (Shelby), Williams (Union), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 94.

Representatives present and not voting were: Nuber -- 1.

A motion to reconsider was tabled.

***House Bill No. 2553 -- Forest and Forest Products -- Defines "current market value" as standing timber before it is cut where civil liability attaches for negligent cutting of timber from property of another. Amends TCA, Title 43, Ch. 28, Pt. 3.**

On motion, House Bill No. 2553 was made to conform with Senate Bill No. 2704.

On motion, Senate Bill No. 2704, on same subject, was substituted for House Bill No. 2553.

Rep. Givens moved that Senate Bill No. 2704 be passed on third and final consideration.

Rep. Givens moved that Senate Bill No. 2704 be reset to the Calendar for Wednesday, April 22, 1992, which motion prevailed.

House Bill No. 2753 -- Courts, General Sessions -- Requires new process must be served within nine months of return of unserved one, rather than six months, in order to keep action alive. Amends TCA, Title 16.

On motion, House Bill No. 2753 was made to conform with Senate Bill No. 2387.

On motion, Senate Bill No. 2387, on same subject, was substituted for House Bill No. 2753.

Rep. Herron moved that Senate Bill No. 2387 be passed on third and final consideration.

Rep. Buck moved adoption of Judiciary Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND Senate Bill No. 2387 by deleting from SECTION 1 the numbers "16-15-701" and substituting instead the numbers "16-15-710".

AND FURTHER AMEND BY adding the following new section immediately prior to the effective date section and by numbering the sections accordingly:

SECTION _____. Tennessee Code Annotated, Section 16-15-713, is amended by deleting the section in its

entirety and substituting instead the following new section:

Notwithstanding any provision of the law or private act to the contrary, courts of general sessions have the power to issue attachments and inflict punishments for contempts of court. Such punishments for contempts shall be limited to:

(1) A fine not exceeding fifty dollars (\$50.00) and imprisonment not exceeding ten (10) days if the judge of the general sessions court is licensed to practice law; and

(2) A fine not exceeding fifty dollars (\$50.00) if the judge of the general sessions court is not licensed to practice law.

On motion, Amendment No. 1 was adopted.

Rep. Buck moved adoption of Judiciary Committee Amendment No. 2 as follows:

Amendment No. 2

Amend Senate Bill No. 2387 by inserting immediately before the last section the following new section, and renumbering the last section accordingly:

Section _____. There is hereby established a committee to study and revise the forms of pleadings used in civil and criminal proceedings before the general sessions courts. The committee shall be comprised of a total of seven (7) members: three (3) shall be appointed by the president of the Tennessee General Sessions Judges Conference; three (3) shall be appointed by the president of the Tennessee Clerks of Court Conference; and the executive secretary of the Tennessee Supreme Court, or his designee. The executive secretary of the supreme court shall convene the initial meeting of the committee, at which the members will choose a chairperson. The committee shall make a report by January 15, 1993 to the speakers of the respective houses of the 98th General Assembly, and to the chairs of the respective judiciary and government operations committees. The report shall recommend revised forms of pleadings, a method of promulgation to ensure their uniform implementation, and any legislative changes needed to effect the committee's recommendations. The revised forms shall be designed for ease and efficiency of administration and for optimal readability by the general public. Upon submission of their report the committee shall cease to exist.

On motion, Amendment No. 2 was adopted.

Thereupon, Rep. Herron moved that Senate Bill No. 2387, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes.	96
Noes.	0

Representatives voting aye were: Allen, Anderson, Armstrong, Arriola, Bell, Bittle, Bivens, Bragg, Buck, Byrd, Callicott, Chiles, Chumney, Clark, Coffey, Cole, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, Dixon, Duer, Ferguson, Fowlkes, Givens, Gunnels, Haley, Halteman, Hargrove, Harrill, Hassell, Haun, Head, Herron, Hill, Hillis, Holcomb, Holt, Hubbard, Huskey, Jackson, Johnson, Jones, R (Shelby), Jones, U (Shelby), Joyce Kent, Kernell, King, Kisber, Knight, Liles, Love, McAfee, McDaniel, McKee, Meyer, Moore, Napier, Niceley, Nuber, Odom, Peroulas Draper, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Rigsby, Rinks, Robinson (Hamilton), Robinson (Washington), Severance, Shirley, Sipes, Stamps, Tindell, Tullos, Turner (Hamilton), Turner (Shelby), Venable, Walley, West, Whitson, Williams (Shelby), Williams (Union), Windle, Winningham, Wood, Mr. Speaker Naifeh -- 96.

A motion to reconsider was tabled.

House Bill No. 2335 -- Health and Environment, Dept. of -- Requires moneys collected by health related boards be deposited in general fund and credited to specific board account, to be used for defraying expenses, with excess funds to remain available for expenditures. Amends TCA, Titles 4, 63.

Rep. Odom moved that House Bill No. 2335 be passed on third and final consideration.

Rep. Dixon moved adoption of Health and Human Resources Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND House Bill No. 2335 by adding in Section 1(a) the words, figures and symbols "other than the state regulatory fee as provided for in Section 4-3-1011(b)(2)" between the words "monies" and "collected".

AND FURTHER AMEND by deleting Section 1(c) in its entirety and substituting instead the following:

(c) No such expenses shall be paid from any other state funds other than provided for in Section 4-3-1011.

On motion, Amendment No. 1 was adopted.

WEDNESDAY, APRIL 15, 1992 -- EIGHTY-FOURTH LEGISLATIVE DAY

Rep. Dixon moved adoption of Health and Human Resources Committee Amendment No. 2 as follows:

Amendment No. 2

AMEND Senate Bill No. 2143 by adding the following new section immediately preceding the last section and by renumbering the subsequent section accordingly:

Section _____. Tennessee Code Annotated, Section 63-22-113, is amended by deleting the period at the end of subsection (d), and by adding the following language:

nor to prevent alcohol and drug abuse counselors certified under Tennessee Code Annotated, Section 33-2-801 or operating under qualified supervision while seeking such certification from doing counseling consistent with the accepted standards of that profession.

AND FURTHER AMEND by deleting the effective date section in its entirety, and by substituting instead the following language:

SECTION 3. Section 1 of this act shall take effect July 1, 1992, the public welfare requiring it. The new section added by this amendment shall take effect upon becoming a law, the public welfare requiring it.

On motion, Amendment No. 2 was adopted.

Thereupon, Rep. Odom moved that House Bill No. 2335, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes.	93
Noes.	0

Representatives voting aye were: Allen, Anderson, Armstrong, Arriola, Bell, Bittle, Bivens, Bragg, Buck, Byrd, Callicott, Chiles, Chumney, Clark, Coffey, Cole, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Knox), DeBerry, Dixon, Duer, Ferguson, Fowlkes, Givens, Gunnels, Haley, Halteman, Hargrove, Hassell, Haun, Head, Herron, Hill, Hillis, Holcomb, Holt, Hubbard, Huskey, Jackson, Johnson, Jones, R (Shelby), Jones, U (Shelby), Joyce Kent, Kernell, King, Kisber, Knight, Liles, Love, McAfee, McDaniel, McKee, Meyer, Napier, Niceley, Nuber, Odom, Peroulas Draper, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Rinks, Robinson (Hamilton), Robinson (Washington), Severance, Shirley, Sipes, Stamps, Tindell, Tullos, Turner (Hamilton), Turner (Shelby), Venable, Walley, West, Whitson, Williams (Shelby), Williams (Union), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 93.

A motion to reconsider was tabled.

WEDNESDAY, APRIL 15, 1992 -- EIGHTY-FOURTH LEGISLATIVE DAY

House Bill No. 2194 -- County Government -- Allows county and municipal governments to charge for fire alarm services; impose penalties for false alarms. Amends TCA 62-32-321.

On motion, House Bill No. 2194 was made to conform with Senate Bill No. 2143.

On motion, **Senate Bill No. 2143**, on same subject, was substituted for House Bill No. 2194.

Rep. Kisber moved that **Senate Bill No. 2143** be passed on third and final consideration.

On motion, Rep. Love withdrew State and Local Government Committee Amendment No. 1.

Rep. Kisber moved to amend as follows:

Amendment No. 2

Amend Senate Bill No. 2143 by inserting the language "enacted after the effective date of this act" in subsection (e) of Section 2 between the words "that such penalties" and the words "shall not exceed".

On request of Rep. Kisber, Senate Bill No. 2143 was moved five spaces.

***House Joint Resolution No. 0474 -- Memorials, Government Officials --** Directs department of transportation to afford highest priority to completion of I-840.

Rep. Jackson moved that House Joint Resolution No. 474 be adopted.

Rep. Robinson (Davidson) moved adoption of Transportation Committee Amendment No. 1 as follows:

Amendment No. 1

Amend House Joint Resolution No. 474 by deleting in the first resolving clause the language "That the Department of Transportation is hereby directed" and by substituting instead the language "That this General Assembly hereby urges the Department of Transportation".

On motion, Amendment No. 1 was adopted.

Thereupon, Rep. Jackson moved that **House Joint Resolution No. 474**, as amended, be adopted, which motion prevailed by the following vote:

WEDNESDAY, APRIL 15, 1992 -- EIGHTY-FOURTH LEGISLATIVE DAY

Ayes.	74
Noes.	11
Present and not voting.	5

Representatives voting aye were: Allen, Anderson, Armstrong, Arriola, Bell, Bittle, Bivens, Callicott, Chiles, Chumney, Clark, Cole, Collier, Crain, Cross, Curlee, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, Dixon, Duer, Ferguson, Fowlkes, Givens, Gunnels, Halteman, Hassell, Haun, Head, Hill, Hillis, Holt, Hubbard, Huskey, Jackson, Johnson, Jones, U (Shelby), Kent, Kernell, King, Knight, Liles, Love, McDaniel, McKee, Meyer, Moore, Napier, Niceley, Odom, Peroulas Draper, Pinion, Pruitt, Ridgeway, Rinks, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Severance, Shirley, Stamps, Tindell, Tullos, Turner (Hamilton), Turner (Shelby), Venable, West, Whitson, Williams (Shelby), Windle, Wix, Wood, Mr. Speaker Naifeh -- 74.

Representatives voting no were: Byrd, Coffey, Davidson, Jones, R (Shelby), Nuber, Phillips, Rhinehart, Sipes, Walley, Williams (Union), Winningham -- 11.

Representatives present and not voting were: Buck, Haley, Herron, Holcomb, Rigsby -- 5.

A motion to reconsider was tabled.

REQUEST TO CHANGE VOTE

MR. SPEAKER: Pursuant to **Rule No. 31**, I wish to express a desire to change my original stand from aye to no on House Joint Resolution No. 474 and have this statement entered in the Journal.

Rep. Ken Givens

REGULAR CALENDAR, CONTINUED

House Bill No. 0926 -- Physicians and Surgeons -- Authorizes board of medical examiners to issue reciprocity licenses to certain physicians who qualify as distinguished professors. Amends TCA 63-6-211.

On motion of Rep. Jackson, **House Bill No. 926** was withdrawn from the House.

House Bill No. 1000 -- Ethics -- Prohibits acceptance of honoraria by public officials and employees. Amends TCA, Title 2, Ch. 10; Title 3, Ch. 6.

Rep. Jackson moved that House Bill No. 1000 be reset to the Calendar for Monday, April 20, 1992, which motion prevailed.

WEDNESDAY, APRIL 15, 1992 -- EIGHTY-FOURTH LEGISLATIVE DAY

House Bill No. 2228 -- Holidays -- Designates January 30 of each year as a day of special observance, to be known as "Franklin D. Roosevelt Day" to honor his initiation of the Tennessee Valley Authority. Amends TCA, Title 15.

On motion, House Bill No. 2228 was made to conform with Senate Bill No. 2434.

On motion, **Senate Bill No. 2434**, on same subject, was substituted for House Bill No. 2228.

Rep. Crain moved that **Senate Bill No. 2434** be passed on third and final consideration.

Rep. Love moved adoption of State and Local Government Committee Amendment No. 1 as follows:

Amendment No. 1

Amend Senate Bill No. 2434 by deleting in its entirety the first sentence of the amendatory language of Section 1, and by substituting instead the following sentence:

The thirtieth day of January of each year is to be observed as "Franklin D. Roosevelt Day" to be proclaimed as such by the governor to honor and recognize President Roosevelt as the Father of the Civilian Conservation Corps.

On motion of Rep. Crain, Senate Bill No. 2434 was moved three places down the Calendar.

***Senate Bill No. 0473** -- Election Laws -- Restricts certain political campaigning. Amends TCA 2-7-111.

Further consideration of Senate Bill No. 473, previously considered on April 3, 1991; April 9, 1992, at which time it was substituted for House Bill No. 1414 and reset to the Calendar for April 15, 1992.

Rep. West moved that Senate Bill No. 473 be reset to the Calendar for Thursday, April 23, 1992, which motion prevailed.

***House Bill No. 2720** -- Charitable Solicitations -- Prohibits persons from using name of department of safety or subdivision for purpose of soliciting fees and other considerations without written authorization of commissioner. Amends TCA, Title 39, Ch. 14.

Further consideration of House Bill No. 2720, previously considered on April 9, 1992, at which time it was reset to the Calendar for April 15, 1992.

On motion of Rep. Bragg, House Bill No. 2720 was withdrawn from the House.

***Senate Bill No. 2434** -- Holidays -- Designates January 30 of each year as a day of special observance, to be known as "Franklin D. Roosevelt Day" to honor his initiation of the Tennessee Valley Authority. Amends TCA, Title 15.

Previously considered earlier today, at which point it was substituted for the House Bill and a motion was made to adopt Amendment No. 1.

Thereupon, Rep. Crain renewed the motion to adopt Amendment No. 1, which motion prevailed.

Thereupon, Rep. Crain moved that **Senate Bill No. 2434**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes.	94
Noes.	0
Present and not voting.	1

Representatives voting aye were: Allen, Armstrong, Arriola, Bell, Bittle, Bivens, Bragg, Buck, Byrd, Chiles, Chumney, Clark, Coffey, Cole, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, Dixon, Duer, Ferguson, Fowlkes, Givens, Gunnels, Haley, Halteman, Hargrove, Hassell, Haun, Head, Herron, Hill, Hillis, Holcomb, Holt, Hubbard, Huskey, Jackson, Johnson, Jones, R (Shelby), Jones, U (Shelby), Kent, Kernell, King, Kisber, Knight, Liles, Love, McAfee, McDaniel, McKee, Meyer, Moore, Napier, Niceley, Nuber, Odom, Peroulas Draper, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Rigsby, Rinks, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Severance, Shirley, Sipes, Stamps, Tindell, Tullos, Turner (Hamilton), Turner (Shelby), Venable, Walley, West, Whitson, Williams (Shelby), Williams (Union), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 94.

Representatives present and not voting were: Callicott -- 1.

A motion to reconsider was tabled.

***Senate Bill No. 2143** -- County Government -- Allows county and municipal governments to charge for fire alarm services; impose penalties for false alarms. Amends TCA 62-32-321.

Previously considered earlier today at which point Amendment No. 1 was withdrawn and a motion was made to adopt Amendment No. 2.

Rep. Kisber withdrew his motion for the adoption of Amendment No. 2. On request of Rep. Kisber, Amendment No. 3 was considered before Amendment No. 2.

Rep. Bragg moved to amend as follows:

Amendment No. 3

Amend Senate Bill No. 2143 by deleting from Section 2(e) the language which reads as follows:

; provided, however, that such penalties shall not exceed twenty-five dollars (\$25.00) for each false alarm.

On motion, Amendment No. 3 was adopted.

Rep. Kisber moved that **Amendment No. 2** be withdrawn, which motion prevailed.

Rep. Kisber moved that **Senate Bill No. 2143**, as amended, be passed on third and final consideration.

Rep. Kernell moved the previous question, which motion prevailed.

Thereupon, Rep. Kisber moved that **Senate Bill No. 2143**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes.	52
Noes.	34
Present and not voting.	4

Representatives voting aye were: Arriola, Bell, Bivens, Bragg, Buck, Clark, Coffey, Cole, Collier, Crain, Cross, Curlee, Davis (Gibson), Davis (Knox), Dixon, Ferguson, Fowlkes, Halteman, Hargrove, Head, Holt, Hubbard, Jackson, Johnson, Jones, R (Shelby), Kent, Kernell, King, Kisber, Knight, Love, Moore, Napier, Niceley, Nuber, Odom, Pinion, Pruitt, Purcell, Ridgeway, Rigsby, Rinks, Robinson (Davidson), Robinson (Hamilton), Stamps, Tindell, Turner (Shelby), Venable, West, Williams (Shelby), Winningham, Mr. Speaker Naifeh -- 52.

Representatives voting no were: Allen, Anderson, Armstrong, Byrd, Callicott, Copeland, Davidson, Davis (Cocke), Duer, Givens, Gunnels, Haley, Hassell, Haun, Hill, Hillis, Holcomb, Huskey, Joyce Liles, McAfee, McDaniel, Meyer, Peroulas Draper, Rhinehart, Robinson (Washington), Severance, Sipes, Tullos, Turner (Hamilton), Walley, Whitson, Williams (Union), Wood -- 34.

Representatives present and not voting were: Chumney, Jones, U (Shelby), Shirley, Windle -- 4.

A motion to reconsider was tabled.

REQUEST TO CHANGE VOTE

MR. SPEAKER: Pursuant to **Rule No. 31**, I wish to express a desire to change my original stand from not voting to no on Senate

WEDNESDAY, APRIL 15, 1992 -- EIGHTY-FOURTH LEGISLATIVE DAY

Bill No. 2143 and have this statement entered in the Journal.

Rep. H. E. Bittle

REGULAR CALENDAR, CONTINUED

House Bill No. 2284 -- Local Education Agency -- Revises apportionment of local education funds. Amends TCA 49-3-315.

On motion, House Bill No. 2284 was made to conform with Senate Bill No. 2170.

On motion, **Senate Bill No. 2170**, on same subject, was substituted for House Bill No. 2284.

Rep. Bragg moved that **Senate Bill No. 2170** be passed on third and final consideration.

On motion, Rep. Davidson withdrew Education Committee Amendment No. 1.

Rep. Rhinehart moved that **Amendment No. 2** be withdrawn, which motion prevailed.

Rep. Bragg moved that **Senate Bill No. 2170** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes.	96
Noes.	0

Representatives voting aye were: Allen, Anderson, Armstrong, Arriola, Bell, Bivens, Bragg, Buck, Byrd, Callicott, Chiles, Chumney, Clark, Coffey, Cole, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, Dixon, Duer, Ferguson, Fowlkes, Givens, Gunnels, Haley, Halteman, Hargrove, Hassell, Haun, Head, Herron, Hill, Hillis, Holcomb, Holt, Hubbard, Huskey, Jackson, Johnson, Jones, R (Shelby), Jones, U (Shelby), Joyce Kent, Kernell, King, Kisber, Knight, Liles, Love, McAfee, McDaniel, McKee, Meyer, Moore, Napier, Niceley, Nuber, Odom, Peroulas Draper, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Rigsby, Rinks, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Severance, Shirley, Sipes, Stamps, Tindell, Tullos, Turner (Hamilton), Turner (Shelby), Venable, Walley, West, Whitson, Williams (Shelby), Williams (Union), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 96.

A motion to reconsider was tabled.

House Bill No. 2267 -- Housing -- Authorizes state to match local funds to deliver human resources without having specific allocation in General Appropriations Act. Amends TCA, Title 13, Ch. 26.

WEDNESDAY, APRIL 15, 1992 -- EIGHTY-FOURTH LEGISLATIVE DAY

Further consideration of House Bill No. 2267, previously considered on April 9, 1992, at which time it was reset to the Calendar for April 15, 1992.

On motion, House Bill No. 2267 was made to conform with Senate Bill No. 2327.

On motion, Senate Bill No. 2327, on same subject, was substituted for House Bill No. 2267.

Rep. Crain moved that Senate Bill No. 2327 be passed on third and final consideration.

Rep. Crain moved that Amendment No. 1 be withdrawn, which motion prevailed.

Rep. Duer moved to amend as follows:

Amendment No. 2

Amend Senate Bill No. 2327 by deleting Section 1 of the bill as introduced.

Rep. Purcell moved that Amendment No. 2 be tabled, which motion prevailed by the following vote:

Ayes.	62
Noes.	32
Present and not voting.	1

Representatives voting aye were: Anderson, Armstrong, Bell, Bivens, Buck, Byrd, Chumney, Clark, Cole, Collier, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, Dixon, Ferguson, Fowlkes, Givens, Halteman, Hargrove, Head, Herron, Hillis, Holt, Huskey, Jackson, Johnson, Jones, R (Shelby), Jones, U (Shelby), Kent, King, Kisber, Love, McDaniel, McKee, Moore, Napier, Odom, Phillips, Pinion, Purcell, Rhinehart, Ridgeway, Rigbsby, Rinks, Robinson (Davidson), Robinson (Hamilton), Shirley, Sipes, Tindell, Turner (Shelby), Walley, West, Whitson, Williams (Union), Windle, Winningham, Mr. Speaker Naifeh -- 62.

Representatives voting no were: Allen, Arriola, Bittle, Callicott, Chiles, Coffey, Copeland, Duer, Gunnels, Haley, Hassell, Haun, Hill, Holcomb, Hubbard, Joyce Kernell, Liles, McAfee, Meyer, Nicley, Nuber, Perouals Draper, Pruitt, Robinson (Washington), Severance, Stamps, Tullios, Turner (Hamilton), Venable, Williams (Shelby), Wood -- 32.

Representatives present and not voting were: Knight -- 1.

Thereupon, Rep. Crain moved that Senate Bill No. 2327 be passed on third and final consideration.

Rep. Davis (Gibson) moved the previous question, which motion prevailed.

WEDNESDAY, APRIL 15, 1992 -- EIGHTY-FOURTH LEGISLATIVE DAY

Thereupon, Rep. Crain moved that **Senate Bill No. 2327** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes.	71
Noes.	21

Representatives voting aye were: Anderson, Armstrong, Bell, Bittle, Bivens, Bragg, Buck, Byrd, Chumney, Clark, Cole, Collier, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, Dixon, Ferguson, Fowlkes, Givens, Gunnels, Hargrove, Harrill, Hassell, Haun, Head, Herron, Hillis, Holt, Huskey, Jackson, Johnson, Jones, R (Shelby), Jones, U (Shelby), Kent, Kernell, King, Kisber, Knight, McDaniel, McKee, Moore, Napier, Odom, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Rigsby, Rinks, Robinson (Davidson), Robinson (Hamilton), Severance, Shirley, Sipes, Tindell, Turner (Shelby), Walley, West, Whitson, Williams (Union), Windle, Winningham, Wix, Mr. Speaker Naifeh -- 71.

Representatives voting no were: Allen, Callicott, Chiles, Coffey, Duer, Haley, Halteman, Hill, Holcomb, Hubbard, Joyce Liles, Niceley, Nuber, Peroulas Draper, Robinson (Washington), Tullos, Turner (Hamilton), Venable, Williams (Shelby), Wood -- 21.

A motion to reconsider was tabled.

***House Bill No. 2230** -- Motor Vehicles -- Requires vehicle identification numbers on trailers, semitrailers, wreckers and snow plows; allows seizure of such vehicles without vehicle identification numbers. Amends TCA 55-5-106, 110.

Further consideration of House Bill No. 2230, previously considered on April 9, 1992, at which time it was reset to the Calendar for April 15, 1992.

On motion, House Bill No. 2230 was made to conform with Senate Bill No. 2485.

On motion, **Senate Bill No. 2485**, on same subject, was substituted for House Bill No. 2230.

Rep. Crain moved that **Senate Bill No. 2485** be passed on third and final consideration.

On motion, Rep. Robinson (Davidson) withdrew Transportation Committee Amendment No. 1.

Rep. Jackson moved the previous question, which motion prevailed by the following vote:

Ayes.	55
Noes.	25
Present and not voting.	2

WEDNESDAY, APRIL 15, 1992 -- EIGHTY-FOURTH LEGISLATIVE DAY

Representatives voting aye were: Anderson, Armstrong, Arriola, Bell, Bivens, Buck, Byrd, Chumney, Clark, Collier, Cross, Davis (Cocke), Davis (Gibson), Davis (Knox), Ferguson, Fowlkes, Haley, Hassell, Hill, Hillis, Holt, Huskey, Jackson, Johnson, Jones, R (Shelby), Kent, King, Kisber, Liles, Love, McAfee, McDaniel, Moore, Napier, Odom, Peroulas Draper, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Rinks, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Tindell, Tullos, Turner (Shelby), West, Whitson, Windle, Winningham, Wix, Wood -- 55.

Representatives voting no were: Allen, Bittle, Callicott, Chiles, Cole, Davidson, Duer, Givens, Gunnels, Halteman, Haun, Head, Holcomb, Hubbard, Knight, McKee, Niceley, Nuber, Severance, Shirley, Stamps, Venable, Walley, Williams (Shelby), Williams (Union) -- 25.

Representatives present and not voting were: Bragg, Kernell -- 2.

Thereupon, Rep. Crain moved passage of Senate Bill No. 2485 on third and final consideration, which motion failed by the following vote:

Ayes.	24
Noes.	58
Present and not voting.	5

Representatives voting aye were: Buck, Chiles, Clark, Coffey, Collier, Crain, Curlee, Hassell, Hillis, Holt, Kent, Kernell, King, Kisber, Love, McAfee, Napier, Pruitt, Purcell, Rhinehart, Robinson (Davidson), Robinson (Hamilton), West, Williams (Shelby) -- 24.

Representatives voting no were: Allen, Anderson, Armstrong, Arriola, Bell, Bittle, Bivens, Bragg, Byrd, Callicott, Cole, Cross, Davidson, Davis (Cocke), Davis (Knox), DeBerry, Dixon, Duer, Ferguson, Givens, Gunnels, Haley, Halteman, Haun, Head, Hill, Holcomb, Hubbard, Huskey, Jackson, Johnson, Jones, R (Shelby), Knight, Liles, McDaniel, Niceley, Nuber, Odom, Peroulas Draper, Phillips, Rigsby, Rinks, Robinson (Washington), Severance, Shirley, Sipes, Tindell, Tullos, Turner (Shelby), Venable, Walley, Whitson, Williams (Union), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 58.

Representatives present and not voting were: Chumney, Fowlkes, McKee, Moore, Pinion -- 5.

Having received a Constitutional majority in the negative, pursuant to Rule No. 63, Mr. Speaker Naifeh entertained a motion to reject. Hearing none, Senate Bill No. 2485 was re-referred to the Calendar and Rules Committee.

REQUEST TO CHANGE VOTE

MR. SPEAKER: Pursuant to Rule No. 31, I wish to express a desire to change my original stand from not voting to no on Senate

Bill No. 2485 and have this statement entered in the Journal.

Rep. Randy Stamps

REGULAR CALENDAR, CONTINUED

***House Bill No. 1926** -- Sunset Laws -- Adds as a criteria for sunset review the extent to which the entity has supported small businesses and minority owned businesses through bidding, purchasing and contracting policies and practices. Amends TCA 4-29-106; Title 8, Ch. 4, Pt. 1.

Rep. R. Jones moved that **House Bill No. 1926** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes.	87
Noes.	0

Representatives voting aye were: Armstrong, Arriola, Bell, Bittle, Bivens, Bragg, Buck, Byrd, Callicott, Chiles, Chumney, Clark, Cole, Collier, Copeland, Crain, Cross, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, Dixon, Duer, Ferguson, Fowlkes, Givens, Gunnels, Haley, Halteman, Harrill, Hassell, Head, Hill, Hillis, Holcomb, Holt, Hubbard, Huskey, Jackson, Johnson, Jones, R (Shelby), Jones, U (Shelby), Kent, Kernell, King, Kisber, Knight, Liles, Love, McAfee, McDaniel, McKee, Moore, Napier, Niceley, Nuber, Odom, Peroulas Draper, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Rigsby, Rinks, Robinson (Davidson), Robinson (Hamilton), Severance, Shirley, Sipes, Stamps, Tindell, Tullos, Turner (Hamilton), Turner (Shelby), Venable, Walley, West, Whitson, Williams (Shelby), Williams (Union), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 87.

A motion to reconsider was tabled.

***House Joint Resolution No. 0547** -- Constitutional Conventions -- Proposes amendment to Article XI, Section 5, relative to income taxation and lotteries.

Further consideration of House Joint Resolution No. 547, previously considered on April 13, 1992, at which time it was reset to the Calendar for April 15, 1992.

Rep. Chumney moved that House Joint Resolution No. 547 be reset to the Calendar for Monday, April 20, 1992, which motion prevailed.

House Bill No. 2136 -- Education, Higher -- Prohibits student assistance awards from being given to incarcerated students. Amends TCA, Title 49, Ch. 4, Pt. 3.

Further consideration of House Bill No. 2136, previously

WEDNESDAY, APRIL 15, 1992 -- EIGHTY-FOURTH LEGISLATIVE DAY

considered on April 13, 1992, at which time it was reset to the Calendar for April 15, 1992.

On motion, House Bill No. 2136 was made to conform with Senate Bill No. 1815.

On motion, **Senate Bill No. 1815**, on same subject, was substituted for House Bill No. 2136.

Rep. Venable moved that **Senate Bill No. 1815** be passed on third and final consideration.

Rep. Davis (Gibson) moved the previous question, which motion prevailed by the following vote:

Ayes.	73
Noes.	12
Present and not voting.	2

Representatives voting aye were: Allen, Anderson, Arriola, Bell, Bittle, Bragg, Buck, Byrd, Callicott, Clark, Coffey, Cole, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), Ferguson, Fowlkes, Gunnels, Haley, Halteman, Haun, Head, Hill, Hillis, Holt, Hubbard, Huskey, Jackson, Johnson, Kent, Kisber, Liles, Love, McAfee, McDaniel, McKee, Meyer, Moore, Napier, Niceley, Nuber, Odom, Peroulas Draper, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Rinks, Robinson (Davidson), Robinson (Washington), Severance, Shirley, Sipes, Stamps, Tindell, Tullis, Turner (Hamilton), Venable, Walley, West, Whitson, Williams (Union), Windle, Winningham, Wix, Wood -- 73.

Representatives voting no were: Armstrong, Bivens, Chumney, DeBerry, Dixon, Jones, R (Shelby), Jones, U (Shelby), King, Knight, Robinson (Hamilton), Turner (Shelby), Williams (Shelby) -- 12.

Representatives present and not voting were: Givens, Kernell -- 2.

Rep. Venable moved that **Senate Bill No. 1815** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes.	82
Noes.	9
Present and not voting.	1

Representatives voting aye were: Allen, Anderson, Armstrong, Arriola, Bell, Bittle, Bivens, Bragg, Buck, Byrd, Callicott, Chiles, Clark, Coffey, Cole, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), Dixon, Duer, Ferguson, Fowlkes, Givens, Gunnels, Haley, Halteman, Hargrove, Haun, Head, Hill, Hillis, Holcomb, Holt, Hubbard, Huskey, Jackson, Johnson, Joyce Kent, Kisber, Liles, Love, McAfee, McDaniel, McKee, Meyer, Moore, Napier, Niceley, Nuber, Odom, Peroulas Draper, Phillips, Pinion, Purcell, Rhinehart, Rigsby, Robinson (Davidson),

WEDNESDAY, APRIL 15, 1992 -- EIGHTY-FOURTH LEGISLATIVE DAY

Robinson (Washington), Severance, Shirley, Sipes, Stamps, Tindell, Tullos, Turner (Hamilton), Venable, Walley, West, Whitson, Williams (Shelby), Williams (Union), Windle, Winningham, Wix, Wood -- 82.

Representatives voting no were: DeBerry, Hassell, Jones, R (Shelby), Kernell, King, Pruitt, Robinson (Hamilton), Turner (Shelby), Mr. Speaker Naifeh -- 9.

Representatives present and not voting were: Jones, U (Shelby) -- 1.

A motion to reconsider was tabled.

REQUEST TO CHANGE VOTE

MR. SPEAKER: Pursuant to **Rule No. 31**, I wish to express a desire to change my original stand from not voting to aye on Senate Bill No. 1815 and have this statement entered in the Journal.

Rep. Randy Rinks

REGULAR CALENDAR, CONTINUED

House Bill No. 0508 -- Tort Liability -- Limits civil liability for persons involved in equine activities. Amends TCA, Title 44.

Further consideration of **House Bill No. 508**, previously considered on on the Consent Calendar for April 13, 1992, at which time it was reset to the Calendar for April 15, 1992.

On motion, **House Bill No. 508** was made to conform with Senate Bill No. 153.

On motion, **Senate Bill No. 153**, on same subject, was substituted for **House Bill No. 508**.

Rep. Head moved that **Senate Bill No. 153** be passed on third and final consideration.

Rep. Head moved to amend as follows:

Amendment No. 1

Amend Senate Bill No. 153 by deleting Senate Amendment number 2 in its entirety.

On motion, Amendment No. 1 was adopted.

Rep. Head moved to amend as follows:

Amendment No. 2

Amend Senate Bill No. 153 by deleting the effective date section and by substituting instead the following:

Section _____. This act shall take effect July 1, 1992, the public welfare requiring it.

On motion, Amendment No. 2 was adopted.

Thereupon, Rep. Head moved that **Senate Bill No. 153**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes.	94
Noes.	0
Present and not voting.	2

Representatives voting aye were: Allen, Anderson, Armstrong, Arriola, Bell, Bittle, Bivens, Bragg, Buck, Byrd, Callicott, Chiles, Chumney, Clark, Coffey, Cole, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, Dixon, Duer, Ferguson, Givens, Gunnels, Haley, Halteman, Hargrove, Hassell, Haun, Head, Herron, Hill, Hillis, Holcomb, Holt, Hubbard, Huskey, Jackson, Johnson, Jones, R (Shelby), Jones, U (Shelby), Kent, Kernell, King, Kisber, Knight, Liles, Love, McAfee, McDaniel, McKee, Meyer, Moore, Napier, Niceley, Nuber, Odom, Peroulas Draper, Phillips, Pinion, Purcell, Rhinehart, Ridgeway, Rigsby, Rinks, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Severance, Shirley, Sipes, Stamps, Tindell, Tullos, Turner (Hamilton), Turner (Shelby), Venable, Walley, West, Whitson, Williams (Shelby), Williams (Union), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 94.

Representatives present and not voting were: Fowlkes, Pruitt -- 2.

A motion to reconsider was tabled.

***House Joint Resolution No. 0495 -- Highway Signs -- "Greg O'Rear Memorial Highway," portion of U.S. 43.**

Further consideration of House Joint Resolution No. 495, previously considered on the Consent Calendar for April 13, 1992, at which time it was reset to the Calendar for April 15, 1992.

Rep. Moore moved that **House Joint Resolution No. 495** be adopted, with the request that all members voting aye be added as sponsors, which motion prevailed by the following vote:

Ayes.	96
Noes.	0

Representatives voting aye were: Allen, Anderson, Armstrong, Arriola, Bell, Bittle, Bivens, Bragg, Buck, Byrd, Callicott, Chiles, Chumney, Clark, Coffey, Cole, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, Dixon, Duer, Ferguson, Fowlkes, Givens, Gunnels, Haley, Halteman, Hargrove, Harrill, Hassell, Haun, Head, Herron, Hill, Hillis, Holcomb, Holt, Hubbard, Huskey, Jackson, Johnson, Jones, R (Shelby), Jones, U (Shelby), Joyce Kent, Kernell, King, Kisber, Knight, Liles, Love, McAfee, McKee, Meyer, Moore, Napier, Niceley, Nuber, Odom, Peroulas Draper, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Rigsby, Rinks, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Severance, Shirley, Stamps, Tindell, Tullos, Turner (Hamilton), Turner (Shelby), Venable, Walley, West, Whitson, Williams (Shelby), Williams (Union), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 96.

A motion to reconsider was tabled.

***House Bill No. 1732** -- Courts, Juvenile -- Permits juvenile court judge access to records pertaining to sexually transmitted diseases. Amends TCA 68-10-113.

Further consideration of House Bill No. 1732, previously considered on the Consent Calendar for April 13, 1992, at which time it was reset to the Calendar for April 15, 1992.

Rep. Wood moved that House Bill No. 1732 be passed on third and final consideration.

Rep. Wood moved to amend as follows:

Amendment No. 1

Amend House Bill No. 1732 by deleting Section 2 and by substituting instead the following:

Tennessee Code Annotated, Section 68-10-113(6)(B), is amended by adding the following language at the end of the subdivision:

A juvenile court judge shall make the findings set forth in Subdivision (6)(A) by examining the information, in camera, and shall order the information placed under seal. Such judge shall only examine the records of a juvenile who is under the jurisdiction of the court.

On motion, Amendment No. 1 was adopted.

Thereupon, Rep. Wood moved that House Bill No. 1732, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

WEDNESDAY, APRIL 15, 1992 -- EIGHTY-FOURTH LEGISLATIVE DAY

Ayes.	84
Noes.	0
Present and not voting.	5

Representatives voting aye were: Allen, Anderson, Arriola, Bell, Bittle, Bivens, Bragg, Buck, Byrd, Callicott, Chumney, Clark, Cole, Collier, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Knox), Ferguson, Fowlkes, Givens, Gunnels, Haley, Halteman, Harrill, Hassell, Haun, Head, Herron, Hill, Hillis, Holcomb, Holt, Hubbard, Huskey, Jackson, Johnson, Jones, R (Shelby), Kent, Kernell, King, Kisber, Knight, Liles, Love, McAfee, McDaniel, McKee, Meyer, Moore, Napier, Niceley, Nuber, Odom, Peroulas Draper, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Rigsby, Rinks, Robinson (Davidson), Robinson (Washington), Severance, Shirley, Sipes, Stamps, Tindell, Tullis, Turner (Hamilton), Turner (Shelby), Venable, Walley, West, Williams (Shelby), Williams (Union), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 84.

Representatives present and not voting were: Armstrong, DeBerry, Dixon, Jones, U (Shelby), Robinson (Hamilton) -- 5.

A motion to reconsider was tabled.

***House Bill No. 1850** -- Taxes, Real Property -- Authorizes counties and municipalities to adopt alternative discount of 3 percent on property taxes due in October if paid by end of July, 2 percent if paid by end of August and 1 percent if paid by end of September. Amends TCA, Title 67, Ch. 5.

Further consideration of House Bill No. 1850, previously considered on the Consent Calendar for April 13, 1992, at which time it was reset to the Calendar for April 15, 1992.

Rep. Haley moved that House Bill No. 1850 be passed on third and final consideration.

Rep. Haley moved to amend as follows:

Amendment No. 1

Amend House Bill No. 1850 by renumbering Section 2 as Section 4, and by inserting the following new Sections 2 and 3:

SECTION 2. Tennessee Code Annotated, Section 67-5-1804, subsection (a), is amended by deleting therefrom the last clause thereof, which begins "provided, however" and ends "such discount".

SECTION 3. Tennessee Code Annotated, Section 67-5-1804, is amended by adding at the end thereof the following new subsection:

() Nothing in this section shall be deemed to require early payment by any mortgagee, mortgage

servicer, or escrow account holder; nor shall any mortgagee, mortgage servicer, or escrow account holder be required to notify any mortgagor or other party with respect to the availability of any such discounts.

On motion, Amendment No. 1 was adopted.

Thereupon, Rep. Haley moved that **House Bill No. 1850**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes.	90
Noes.	2
Present and not voting.	1

Representatives voting aye were: Allen, Armstrong, Arriola, Bell, Bittle, Bivens, Bragg, Buck, Byrd, Callicott, Chiles, Chumney, Clark, Cole, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, Dixon, Duer, Ferguson, Fowlkes, Givens, Haley, Halteman, Hassell, Haun, Herron, Hill, Hillis, Holcomb, Holt, Hubbard, Huskey, Jackson, Johnson, Jones, R (Shelby), Jones, U (Shelby), Joyce Kent, Kernell, King, Kisber, Knight, Liles, Love, McAfee, McDaniel, McKee, Meyer, Moore, Napier, Niceley, Nuber, Odom, Peroulas Draper, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Rigsby, Rinks, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Severance, Shirley, Sipes, Stamps, Tindell, Tullos, Turner (Hamilton), Turner (Shelby), Venable, Walley, West, Whitson, Williams (Shelby), Williams (Union), Windle, Winningham, Wood, Mr. Speaker Naifeh -- 90.

Representatives voting no were: Anderson, Head -- 2.

Representatives present and not voting were: Wix -- 1.

A motion to reconsider was tabled.

***House Bill No. 2498** -- Traffic Safety -- Prohibits driving in right hand lane within 500 feet of highway patrol officer parked on right shoulder with blue flashing lights on. Amends TCA, Title 55, Ch. 8, Pt. 1.

Further consideration of House Bill No. 2498, previously considered on the Consent Calendar for April 13, 1992, at which time it was reset to the Calendar for April 15, 1992.

Rep. Robinson (Davidson) moved that House Bill No. 2498 be passed on third and final consideration.

Rep. Robinson (Davidson) moved that House Bill No. 2498 be reset to the Calendar for Thursday, April 16, 1992, which motion prevailed.

MESSAGE CALENDAR

HOUSE ACTION ON SENATE AMENDMENTS

House Bill No. 1169 -- Education, Higher -- Expands number of fellowships in minority teachers scholarship program. Amends TCA, Title 49, Ch. 4.

Senate Amendment No. 2

Amend House Bill No. 1169 by deleting Section 2 in its entirety and substituting instead the following:

SECTION 2. This act shall take effect July 1, 1992, the public welfare requiring it.

Rep. Dixon moved that the House concur in Senate Amendment(s) No(s). 2 to **House Bill No. 1169**, which motion prevailed by the following vote:

Ayes.	87
Noes.	0

Representatives voting aye were: Allen, Anderson, Armstrong, Arriola, Bell, Bittle, Bivens, Bragg, Buck, Byrd, Chumney, Coffey, Cole, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, Dixon, Ferguson, Fowlkes, Givens, Gunnels, Haley, Halteman, Hargrove, Hassell, Haun, Head, Herron, Hill, Hillis, Holt, Hubbard, Huskey, Jackson, Johnson, Jones, R (Shelby), Jones, U (Shelby), Kent, Kernell, King, Kisber, Knight, Liles, Love, McAfee, McDaniel, McKee, Meyer, Moore, Napier, Niceley, Nuber, Odom, Peroulas Draper, Phillips, Pinion, Pruitt, Rhinehart, Rigsby, Rinks, Robinson (Hamilton), Robinson (Washington), Severance, Shirley, Sipes, Stamps, Tindell, Tullos, Turner (Hamilton), Turner (Shelby), Venable, Walley, West, Whitson, Williams (Shelby), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 87.

A motion to reconsider was tabled.

House Bill No. 2723 -- Education -- Implements pilot program to deal with educational needs of African-American male students in Memphis. Amends TCA, Title 49, Ch. 10.

Senate Amendment No. 1

Amend House Bill No. 2723 by deleting the word "shall" in the fifth line of amendatory Section 49-10-1203 of Section 1 of the printed bill and by substituting the word "may".

Rep. U. Jones moved that the House concur in Senate Amendment(s) No(s). 1 to **House Bill No. 2723**, which motion prevailed by the following vote:

Ayes.	86
Noes.	0

Representatives voting aye were: Allen, Anderson, Armstrong, Arriola, Bell, Bittle, Bivens, Buck, Byrd, Callicott, Chumney, Cole, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, Dixon, Ferguson, Fowlkes, Givens, Gunnels, Haley, Halteman, Hargrove, Hassell, Haun, Head, Herron, Hill, Hillis, Holt, Hubbard, Huskey, Johnson, Jones, R (Shelby), Jones, U (Shelby), Joyce Kent, Kernell, King, Kisber, Knight, Liles, Love, McDaniel, McKee, Meyer, Moore, Napier, Niceley, Nuber, Odom, Peroulas Draper, Phillips, Pinion, Pruitt, Rhinehart, Rigsby, Rinks, Robinson (Hamilton), Robinson (Washington), Severance, Shirley, Sipes, Stamps, Tindell, Tullios, Turner (Hamilton), Turner (Shelby), Venable, Walley, West, Whitson, Williams (Shelby), Williams (Union), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 86.

A motion to reconsider was tabled.

BILL RETURN REQUESTED

Pursuant to Rule No. 54, Rep. Rhinehart moved that the Clerk request the return of Senate Bill No. 1730 from the Senate, which motion prevailed.

UNFINISHED BUSINESS

RULES SUSPENDED

Rep. R. Jones moved that the rules be suspended for the purpose of introducing House Resolution No. 189 out of order, which motion prevailed.

House Resolution No. 0189 -- Memorials, Professional and Business Achievement -- Albert King, blues legend. by *Jones R, *Byrd, *Turner L.

On motion, the rules were suspended for the immediate consideration of the resolution.

On motion of Rep. R. Jones, the resolution was adopted.

A motion to reconsider was tabled.

RULES SUSPENDED

Rep. Hillis moved that the rules be suspended for the purpose of introducing House Joint Resolution No. 670 out of order, which motion prevailed.

House Joint Resolution No. 0670 -- Memorials, Public Service --

Admiral Frank B. Kelso II, U.S. Navy, Chief of Naval Operations. by
*Hillis, *Phillips, *Fowlkes.

On motion, the rules were suspended for the immediate consideration of the resolution.

On motion of Rep. Hillis, the resolution was adopted by the following vote:

Ayes.	95
Noes.	0

Representatives voting aye were: Allen, Anderson, Armstrong, Arriola, Bell, Bittle, Bivens, Bragg, Buck, Byrd, Callicott, Chiles, Chumney, Coffey, Cole, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, Dixon, Duer, Ferguson, Fowlkes, Givens, Gunnels, Haley, Halteman, Hargrove, Harrill, Hassell, Haun, Head, Herron, Hill, Hillis, Holcomb, Holt, Hubbard, Huskey, Johnson, Jones, R (Shelby), Jones, U (Shelby), Joyce Kent, Kernell, King, Kisber, Knight, Liles, Love, McAfee, McDaniel, McKee, Meyer, Moore, Napier, Niceley, Nuber, Odom, Peroulas, Draper, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Rigsby, Rinks, Robinson (Hamilton), Robinson (Washington), Severance, Shirley, Sipes, Stamps, Tindell, Tullos, Turner (Hamilton), Turner (Shelby), Venable, Walley, West, Whitson, Williams (Shelby), Williams (Union), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 95.

A motion to reconsider was tabled.

RULES SUSPENDED

Rep. Hillis moved that the rules be suspended for the purpose of introducing House Joint Resolution No. 671 out of order, which motion prevailed.

House Joint Resolution No. 0671 -- Memorials, Professional and Business Achievement -- Uplands, Inc., 70th Anniversary. by
*Hillis, *Duer.

On motion, the rules were suspended for the immediate consideration of the resolution.

On motion of Rep. Hillis, the resolution was adopted.

A motion to reconsider was tabled.

RULES SUSPENDED

Rep. King moved that the rules be suspended for the purpose of introducing House Joint Resolution No. 668 out of order, which motion prevailed.

***House Joint Resolution No. 0668** -- Memorials, Government Officials -- Encourages State Board of Education to notify private school students and home school students of certain vocational programs that are available without payment. by *King.

On motion, House Joint Resolution No. 668 was held on the Clerk's desk.

RULES SUSPENDED

Rep. Purcell moved to suspend **Rule No. 81(1)**, relative to the time for placing bills on notice in Committee, so that any bill put on notice by 4:00 p.m. today can be heard by any committee that is open on next week, which motion prevailed.

SPONSORS ADDED

Without objection, the rules were suspended to allow the following members to add their names as sponsors as indicated below, the prime sponsor of each having agreed to such addition:

House Resolution No. 179: Rep(s). Cole as prime sponsor(s).

House Joint Resolution No. 495: Rep(s). Hargrove as prime sponsor(s).

House Joint Resolution No. 567: Rep(s). Head as prime sponsor(s).

House Joint Resolution No. 575: Rep(s). Bivens as prime sponsor(s).

House Bill No. 1000: Rep(s). Hargrove, Hill and Sipes as prime sponsor(s).

House Bill No. 1435: Rep(s). Jackson as prime sponsor(s).

House Bill No. 1853: Rep(s). Bell as prime sponsor(s).

House Bill No. 2039: Rep(s). Givens, Gunnels, Whitson, Williams (Union) as prime sponsor(s).

House Bill No. 2047: Rep(s). Turner (Hamilton) as prime sponsor(s).

House Bill No. 2124: Rep(s). Bittle as prime sponsor(s).

House Bill No. 2136: Rep(s). Givens as prime sponsor(s).

House Bill No. 2288: Rep(s). Bivens as prime sponsor(s).

House Bill No. 2498: Rep(s). Hargrove and Sipes as prime sponsor(s).

WEDNESDAY, APRIL 15, 1992 -- EIGHTY-FOURTH LEGISLATIVE DAY

House Bill No. 2499: Rep(s). Buck as prime sponsor(s).

House Bill No. 2603: Rep(s). Anderson as prime sponsor(s).

House Bill No. 2759: Rep(s). Bragg, Crain, Purcell, and Ridgeway as prime sponsor(s).

House Bill No. 2849: Rep(s). Cross as prime sponsor(s).

House Bill No. 2853: Rep(s). Head as prime sponsor(s).

INTRODUCTION OF RESOLUTIONS

On motion, the resolution(s) listed was/were introduced and referred as noted:

***House Resolution No. 0186 --** Memorials, Government Officials -- Urges Department of Transportation not to demolish Dement Bridge near Normandy. by *Phillips.

Referred by the Speaker to the Calendar and Rules Committee.

House Resolution No. 0187 -- Memorials, Interns -- Robert Fries. by *Whitson, *Allen, *Robinson Ruth.

Referred by the Speaker to the Calendar and Rules Committee.

House Resolution No. 0188 -- Memorials, Interns -- Kirk Vandivort. by *Hill, *Peroulas Draper.

Referred by the Speaker to the Calendar and Rules Committee.

House Resolution No. 0191 -- Memorials, Retirement -- Bishop Clinton Reuben Coleman, African Methodist Episcopal Zion Church. by *Robinson C B, *Armstrong.

Referred by the Speaker to the Calendar and Rules Committee.

House Joint Resolution No. 0663 -- Memorials, Recognition and Thanks -- Reverend Willis Gene Gilliland. by *Holt.

Referred by the Speaker to the Calendar and Rules Committee.

***House Joint Resolution No. 0664 --** Memorials, Government Officials -- Urges governor to include funding in 1992-1993 budget for reconstruction of U.S. 79 West between Clarksville and Dover. by *Knight.

Referred by the Speaker to the Calendar and Rules Committee.

***House Joint Resolution No. 0665 --** Naming and Designating -- "Buffalo Soldier Day" in Tennessee, July 28, 1992. by *Knight.

Referred by the Speaker to the Calendar and Rules Committee.

WEDNESDAY, APRIL 15, 1992 -- EIGHTY-FOURTH LEGISLATIVE DAY

House Joint Resolution No. 0666 -- Memorials, Professional and Business Achievement -- 1922 honorees of Honorarium for Women and Industry. by *Venable.

Referred by the Speaker to the Calendar and Rules Committee.

House Joint Resolution No. 0667 -- Memorials, Interns -- Christopher Kelly. by *Robinson Robb, *Napier, *Collier.

Referred by the Speaker to the Calendar and Rules Committee.

House Joint Resolution No. 0669 -- Memorials, Personal Occasion -- Mr. and Mrs. Lemuel Augustus Larkin, 50th wedding anniversary. by *Rigsby.

Referred by the Speaker to the Calendar and Rules Committee.

House Joint Resolution No. 0672 -- Memorials, Interns -- Terri Lynn Ray. by *Chiles.

Referred by the Speaker to the Calendar and Rules Committee.

SENATE JOINT RESOLUTIONS (Congratulatory and Memorializing)

On motion, the resolutions listed were referred as noted:

Senate Joint Resolution No. 0452 -- Memorials, Death -- Jefferson Davis Johnson.

Referred by the Speaker to the Calendar and Rules Committee.

Senate Joint Resolution No. 0457 -- Memorials, Sports -- Camden High School boys' basketball team, TSSAA Class AAA state champions.

Referred by the Speaker to the Calendar and Rules Committee.

RESOLUTIONS LYING OVER

On motion, the resolutions(s) listed was/were held on the Clerk's desk:

***Senate Joint Resolution No. 0331** -- Constitutional Amendments -- Proposes amendment to Art. XI, Sec. 5, relative to income taxation and lotteries.

INTRODUCTION OF BILLS

On motion, the following bills were introduced and passed first consideration:

House Bill No. 2851 -- Anderson County -- Designates trial

WEDNESDAY, APRIL 15, 1992 -- EIGHTY-FOURTH LEGISLATIVE DAY

justice court as general sessions court. Amends Chapter 459, Private Acts of 1947, as amended. by *Coffey, *Williams M.

Passed first consideration.

DELAYED BILLS REFERRED

Pursuant to **Rule No. 78**, having been prefiled for introduction, House Bill(s) No(s). 2853, was/were referred to the Delayed Bills Committee.

***House Bill No. 2853 -- Taxes, Privilege --** Authorizes Montgomery County by two-thirds vote to impose transfer tax on transfers of realty and tax on instruments evidencing indebtedness in amount equal to such taxes levied for state purposes. Amends TCA 67-4-409. by *Knight, *Head.

SENATE BILLS TRANSMITTED

On motion, the Senate Bills listed below, transmitted to the House, were held on the Clerk's desk as noted:

***Senate Bill No. 1653 -- Equalization Board --** Authorizes state board of equalization to impose \$10 filing fee on appeals to it and additional \$20 fee for appeals made from initial decisions of administrative judges to full board. Amends TCA 67-5-1514.

Held pending third consideration of companion House Bill.

Senate Bill No. 1670 -- Teachers -- Insures continuation of employment and compensation for career ladder educators with 11 and 12 month extended contracts. Amends TCA, Title 49, Ch. 5, Pt. 50.

Held pending third consideration of companion House Bill.

***Senate Bill No. 1856 -- Sunset Laws --** Board of pharmacy, June 30, 1999. Amends TCA, Title 4, Chs. 3, 29; Title 39, Ch. 17; Title 53, Chs. 10, 11, 14; Title 56, Ch. 1; Title 63, Chs. 8, 10; Title 68, Ch. 52.

Held pending third consideration of companion House Bill.

***Senate Bill No. 1857 -- Sunset Laws --** Board of osteopathic examination, June 30, 1999. Amends TCA, Title 4, Ch. 29; Title 63, Ch. 9; Title 68, Ch. 1.

Held pending third consideration of companion House Bill.

***Senate Bill No. 1870 -- Sunset Laws --** Real estate commission, June 30, 1999. Amends TCA, Title 4, Chs. 3, 21, 29; Title 19, Ch. 1; Title 62, Chs. 13, 25; Title 66, Ch. 32.

Held pending third consideration of companion House Bill.

WEDNESDAY, APRIL 15, 1992 -- EIGHTY-FOURTH LEGISLATIVE DAY

Senate Bill No. 1871 -- Sunset Laws -- Board of funeral directors and embalmers, June 30, 1999. Amends TCA, Title 4, Chs. 3, 29; Title 62, Ch. 5.

Held pending third consideration of companion House Bill.

***Senate Bill No. 1872** -- Sunset Laws -- Board of barber examiners, June 30, 1999. Amends TCA, Title 4, Chs. 3, 29; Title 62, Ch. 3.

Held pending third consideration of companion House Bill.

***Senate Bill No. 1891** -- Sunset Laws -- Board of cosmetology, June 30, 1999. Amends TCA, Title 4, Chs. 3, 29; Title 62, Ch. 4.

Held pending third consideration of companion House Bill.

***Senate Bill No. 2194** -- Landlord and Tenant -- Expands application of Residential Landlord and Tenant Act to 14 largest counties instead of four largest counties. Amends TCA 66-28-102.

Held pending third consideration of companion House Bill.

***Senate Bill No. 2289** -- Purchasing -- Requires commissioner of general services to award contracts within 30 days of receipt of all bids instead of with reasonable promptness. Amends TCA 12-3-203.

Held pending third consideration of companion House Bill.

Senate Bill No. 2293 -- Pensions and Retirement Benefits -- Makes city attorney eligible for membership in TCRS. Amends TCA 8-35-234.

Held pending third consideration of companion House Bill.

***Senate Bill No. 2357** -- Housing -- Deletes requirement that pull down steps be located in homes where HVAC is in attic.

Held pending third consideration of companion House Bill.

***Senate Bill No. 2557** -- Taxes, Amusement -- Clarifies that amusement tax does not apply to live entertainment conducted in an establishment operated primarily for the sale of prepared food. Amends TCA 67-6-212, 215, 67-6-330.

Held pending third consideration of companion House Bill.

***Senate Bill No. 2577** -- Home Improvement Contractors -- Authorizes home improvement commission to pay claims as provided from guaranty fund and to disallow new claims filed; terminates fund upon exhaustion. Same as *SB 2163/HB 2099. Amends TCA, Title 62, Ch. 37, Pt. 1.

Held pending third consideration of companion House Bill.

***Senate Bill No. 2603** -- Election Laws -- Allows counties which have more than 5 percent of territory within Great Smoky Mountain National Park to divide census blocks when establishing or altering boundaries of voting precincts. Amends TCA 2-3-102.

Held pending third consideration of companion House Bill.

***Senate Bill No. 2667** -- Purchasing -- Requests commissioner of general services to establish regulations to strive to avoid purchases involving materials derived from endangered rainforests. Amends TCA, Title 12, Ch. 3.

Held pending third consideration of companion House Bill.

***Senate Bill No. 2707** -- Transportation, Dept. of -- Establishes Transportation Equity Trust Fund as trust fund. Amends TCA, Title 67.

Held pending third consideration of companion House Bill.

***Senate Bill No. 2730** -- Motor Vehicles -- Enacts "Motor Vehicle Safety Inspection Act of 1992"; requires public service commission to inspect all municipal/county fire department emergency response vehicles, firefighting apparatuses to determine compliance with safety laws. Amends TCA 65-15-113.

Held pending third consideration of companion House Bill.

***Senate Bill No. 2802** -- Correctional Programs -- Increases maximum age of offender in special alternative incarceration program from 30 to 35. Amends TCA 40-20-203.

Held pending third consideration of companion House Bill.

HOUSE BILLS ON SECOND CONSIDERATION

On motion, bills listed below passed second consideration and were referred to committee or held on the Clerk's desk as noted:

House Bill No. 2823 -- Utilities, Utility Districts -- Passed second consideration and referred to the State and Local Government Committee.

House Bill No. 2834 -- Metropolitan Government -- Passed second consideration and referred to the Judiciary Committee.

***House Bill No. 2835** -- Custody and Support -- Passed second consideration and referred to the Judiciary Committee.

House Bill No. 2845 -- McNairy County -- Passed second consideration and held on Clerk's desk pending approval by local delegation.

House Bill No. 2846 -- Puryear -- Passed second consideration

WEDNESDAY, APRIL 15, 1992 -- EIGHTY-FOURTH LEGISLATIVE DAY

and held on Clerk's desk pending approval by local delegation.

House Bill No. 2847 -- Henry County -- Passed second consideration and held on Clerk's desk pending approval by local delegation.

House Bill No. 2848 -- Henry -- Passed second consideration and held on Clerk's desk pending approval by local delegation.

House Bill No. 2849 -- Hancock County -- Passed second consideration and held on Clerk's desk pending approval by local delegation.

House Bill No. 2850 -- Maryville -- Passed second consideration and held on Clerk's desk pending approval by local delegation.

House Bill No. 2852 -- Lake City -- Passed second consideration and held on Clerk's desk pending approval by local delegation.

**LOCAL BILLS TRANSMITTED TO CALENDAR AND RULES
April 15, 1992**

In accordance with **Rule No. 48**, the following local bill(s), having received authorization for passage by the local legislative delegation, was/were transmitted to the Calendar and Rules Committee: House Bill(s) No(s). 2842, 2846, 2847, 2848, 2849, 2850 and 2852.

**REPORT OF COMMITTEE ON CALENDAR AND RULES
CONSENT CALENDAR
April 15, 1992**

MR. SPEAKER: The officers of your Calendar and Rules Committee report that we have set the following bill(s) and/or resolution(s) on the **Consent Calendar for Thursday, April 16, 1992:** House Bill(s) No(s). 2842; House Joint Resolution(s) No(s). 663 and 666; House Resolution(s) No(s). 187, 188 and 191; House Joint Resolution(s) No(s). 667, 669 and 672; House Bill(s) No(s). 2846, 2847, 2848, 2849, 2850 and 2852; also, Senate Joint Resolution(s) No(s). 452 and 457.

PHILLIPS, Chair.

**SIGNED
April 15, 1992**

The Speaker announced that he had signed the following: House Bill(s) No(s). 1677, 1719, 1812, 1897, 1976, 2107, 2183, 2295, 2443, 2604, 2606, 2755 and 2839; House Joint Resolution(s) No(s). 656; also, House Resolution(s) No(s). 181 and 182.

BETTY KAY FRANCIS,
Chief Engrossing Clerk.

ENGROSSED BILLS

April 15, 1992

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have carefully examined House Bill(s) No(s). 1150, 1732, 1764, 1850, 1926, 2147, 2150, 2335, 2406, 2452, 2814, 2840 and 2841; also, House Joint Resolution(s) No(s). 474, 495, 590, 601, 602, 604, 605, 606, 607, 608, 609, 655, 660, 661, 662, 670 and 671; and find same correctly engrossed and ready for transmission to the Senate.

BETTY KAY FRANCIS,
Chief Engrossing Clerk.

SIGNED

April 15, 1992

The Speaker announced that he had signed the following: Senate Bill(s) No(s). 1725, 1737, 1752, 1858, 1887, 1898, 1905, 1906, 1911, 1963, 1968, 2236, 2340, 2341, 2382, 2420, 2558, 2559, 2589, 2619, 2636, 2669 and 2754; also, Senate Joint Resolution(s) No(s). 324, 334, 415, 419, 420, 429, 439 and 456.

ROLL CALL

The roll call was taken with the following results:

Present 96

Representatives present were: Allen, Anderson, Armstrong, Arriola, Bell, Bittle, Bivens, Bragg, Buck, Byrd, Callicott, Chiles, Chumney, Clark, Coffey, Cole, Collier, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, Dixon, Duer, Ferguson, Fowlkes, Givens, Gunnels, Haley, Halteman, Hargrove, Harrill, Hassell, Haun, Head, Herron, Hill, Hillis, Holcomb, Holt, Hubbard, Huskey, Jackson, Johnson, Jones, R (Shelby), Jones, U (Shelby), Joyce Kent, Kernell, King, Kisber, Knight, Liles, Love, McAfee, McDaniel, McKee, Meyer, Moore, Napier, Niceley, Nuber, Odom, Peroulas Draper, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Rigsby, Rinks, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Severance, Shirley, Sipes, Stamps, Tindell, Tullos, Turner (Hamilton), Turner (Shelby), Venable, Walley, West, Whitson, Williams (Shelby), Williams (Union), Windle, Winningham, Wood, Mr. Speaker Naifeh -- 96.

On motion of Rep. Purcell, the House recessed until 9:00 a.m., Thursday, April 16, 1992.